

CLOSED, JURY, RAMIREZ

**U.S. District Court  
Northern District of Texas (Dallas)  
CIVIL DOCKET FOR CASE #: 3:03-cv-01868**

Equal Employment Opportunity Commission v. TXI Operations,  
LP  
Assigned to: Judge Jorge A Solis  
Cause: 28:451 Employment Discrimination

Date Filed: 08/19/2003  
Date Terminated: 01/13/2005  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

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V.

**Defendant**

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
08/19/2003	<a href="#"><u>1</u></a>	COMPLAINT against TXI Operations, LP , filed by Equal Employment Opportunity Commission.(lmr, ) (Entered: 08/21/2003)
08/19/2003		DEMAND for Trial by Jury by Equal Employment Opportunity Commission.(filed within complaint) (lmr, ) (Entered: 08/21/2003)
08/19/2003	<a href="#"><u>2</u></a>	CERTIFICATE OF INTERESTED PERSONS by Equal Employment Opportunity Commission. (lmr, ) (Entered: 08/21/2003)
08/19/2003	<a href="#"><u>3</u></a>	Summons Issued as to TXI Operations, LP. (lmr, ) (Entered: 08/21/2003)
08/19/2003		***Magistrate Judge Irma Ramirez chosen by random selection to handle matters that may be referred in this case. (lmr, ) (Entered: 08/21/2003)

09/16/2003	<a href="#"><u>4</u></a>	ORIGINAL ANSWER to Complaint by TXI Operations, LP.(lmr, ) (Entered: 09/17/2003)
09/16/2003	<a href="#"><u>5</u></a>	CERTIFICATE OF INTERESTED PERSONS by TXI Operations, LP. (lmr, ) (Entered: 09/17/2003)
09/17/2003	<a href="#"><u>6</u></a>	Order Requiring Attorney Conference and Proposal for Contents of Scheduling and Discovery Order. Proposed Scheduling Order due by 10/20/2003.(see order for specifics) (Signed by Judge Jorge A Solis on 09/17/03) (lmr, ) (Entered: 09/18/2003)
10/20/2003	<a href="#"><u>7</u></a>	JOINT STATUS REPORT by Equal Employment Opportunity Commission, TXI Operations, LP. (lmr, ) (Entered: 10/22/2003)
11/05/2003	<a href="#"><u>8</u></a>	SCHEDULING ORDER: Amended Pleadings due by 2/10/2004. Discovery due by 8/6/2004. Pretrial Conference set for 1/7/2005 09:30 AM before Judge Jorge A Solis. Joinder of Parties due by 1/9/2004. Jury Trial set for 1/17/2005 09:00 AM before Judge Jorge A Solis. Proposed Pretrial Order due by 12/24/2004. Pretrial Materials due by 1/10/2005.(see order for specifics) (Signed by Judge Jorge A Solis on 11/05/03) (lmr, ) (Entered: 11/06/2003)
12/03/2003	<a href="#"><u>9</u></a>	AGREED PROTECTIVE ORDER (Signed by Judge Jorge A Solis on 12/3/03) (aat, ) (Entered: 12/04/2003)
04/19/2004	<a href="#"><u>10</u></a>	NOTICE of Change of Address..Re:attorney, Ronald E. Manthey & Ellen Perlioni/2300 Trammell Crow Center/2001 Ross Ave/Dallas, TX 75201. (lmr, ) (Entered: 04/20/2004)
06/10/2004	<a href="#"><u>11</u></a>	MOTION to Compel Discovery Responses, Production of Documents and Depositions, and Alternative Motion to Deem Evidence Inadmissible and brief in support by TXI Operations, LP. (lmr, ) (Entered: 06/15/2004)
06/10/2004	<a href="#"><u>12</u></a>	Appendix to <a href="#"><u>11</u></a> MOTION to Compel Discovery Responses, Production of Documents and Depositions, and Alternative Motion to Deem Evidence Inadmissible filed by TXI Operations, LP. (lmr, ) (Entered: 06/15/2004)
06/14/2004	<a href="#"><u>13</u></a>	ORDER OF REFERENCE..Referring <a href="#"><u>11</u></a> Motion to Compel Discovery Responses, Production of Documents and Depositions, and Alternative Motion to Deem Evidence Inadmissible filed by TXI Operations, LP to Judge Irma Ramirez for hearing, if necessary and determination. (Signed by Judge Jorge A Solis on 06/14/04) (lmr, ) (Entered: 06/16/2004)
06/15/2004	<a href="#"><u>14</u></a>	ORDER..Pursuant to the District Court's Order of Reference, filed June 14, 2004 Defendant TXI Operations Motion to Compel Discovery Responses, Production of Documents and Depositions, and Alternative Motion to Deem Evidence Inadmissible., Set Deadlines as to <a href="#"><u>11</u></a> Motion to Compel. Response due by 6/29/2004.(see order for specifics) (Signed by Judge Irma C Ramirez on 06/15/04) (lmr, ) (Entered: 06/17/2004)
06/29/2004	<a href="#"><u>15</u></a>	RESPONSE in Opposition to Defendant's <a href="#"><u>11</u></a> MOTION to Compel filed by Equal Employment Opportunity Commission. (lmr, ) (Entered: 07/01/2004)
06/29/2004	<a href="#"><u>16</u></a>	Brief in Support of its <a href="#"><u>15</u></a> RESPONSE in Opposition to Defendant's <a href="#"><u>11</u></a> MOTION to Compel filed by Equal Employment Opportunity Commission. (lmr, ) (Entered: 07/01/2004)

06/29/2004	<a href="#"><u>17</u></a>	Appendix to Plaintiff's <a href="#"><u>16</u></a> Brief in Support of its <a href="#"><u>15</u></a> RESPONSE in Opposition to Defendant's <a href="#"><u>11</u></a> MOTION to Compel filed by Equal Employment Opportunity Commission. (lmr, ) (Entered: 07/01/2004)
07/02/2004	<a href="#"><u>19</u></a>	Minute Entry for proceedings held before Judge Irma C Ramirez : Motion to Compel Hearing held on 07/02/04. (Court Reporter Electronic#139-140ICR.) (lmr, ) (Entered: 07/08/2004)
07/06/2004	<a href="#"><u>18</u></a>	ORDER granting in part and denying in part <a href="#"><u>11</u></a> Motion Contempt of Deposition Subpoena for hearing, if necessary and determination. It is Ordered that's Defendant's motion to compel the deposition of former EEOC Investigator George R. Garrett is Granted. Defendant's motion to compel the deposition of EEOC Acting District Director Janet V. Elizondo is Denied. All relief not expressly awarded herein is hereby denied.(see order for specifics) (Signed by Judge Irma C Ramirez on 07/06/04) (lmr, ) (Entered: 07/07/2004)
07/21/2004	<a href="#"><u>20</u></a>	Minute Entry for proceedings held before Judge Irma C Ramirez : Telephone Conference held regarding Motion to Compel. (lmr, ) (Entered: 07/22/2004)
07/22/2004	<a href="#"><u>21</u></a>	ORDER: Pursuant to the District Court's Order of Reference, file June 14, 2004, Defendant's Motion to Compel Discovery Responses, Production of Documents and Depositions and Alternative Motion to Deem Evidence Inadmissible filed June 10, 2004 has been referred to this Court for hearing, if necessary and determination. The Court determines that the Defendant's Motion to Compel production of Fundling's notes should be Granted. It is hereby Ordered that Plaintiff shall provide a copy of Fundling's notes to Defendant's counsel within five (5) business days of this Order.(see order for specifics) (Signed by Judge Jorge A Solis on 07/22/04) (lmr, ) (Entered: 07/22/2004)
08/19/2004	<a href="#"><u>22</u></a>	JOINT STATUS REPORT by Equal Employment Opportunity Commission, TXI Operations, LP. (lmr, ) (Entered: 08/20/2004)
09/07/2004	<a href="#"><u>23</u></a>	MOTION for Summary Judgment by TXI Operations, LP. (lmr, ) (Entered: 09/08/2004)
09/07/2004	<a href="#"><u>24</u></a>	Brief in Support of its <a href="#"><u>23</u></a> MOTION for Summary Judgment filed by TXI Operations, LP. (lmr, ) (Entered: 09/08/2004)
09/15/2004	<a href="#"><u>26</u></a>	UNOPPOSED MOTION for Extension of Time to File Response as to <a href="#"><u>23</u></a> MOTION for Summary Judgment by Equal Employment Opportunity Commission. (lmr, ) (Entered: 09/15/2004)
09/15/2004	<a href="#"><u>27</u></a>	ORDER granting <a href="#"><u>26</u></a> UNOPPOSED MOTION for Extension of Time to File Response as to <a href="#"><u>23</u></a> MOTION for Summary Judgment. Defendant's Reply due by 10/25/2004. Plaintiff's Response due by 10/13/2004.(see order for specifics) (Signed by Judge Jorge A Solis on 09/15/04) (lmr, ) (Entered: 09/16/2004)
10/13/2004	<a href="#"><u>28</u></a>	RESPONSE in Opposition to Defendant's <a href="#"><u>23</u></a> MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (lmr, ) (Entered: 10/14/2004)
10/13/2004	<a href="#"><u>29</u></a>	Brief in Support of its <a href="#"><u>28</u></a> RESPONSE in Opposition to Defendant's <a href="#"><u>23</u></a> MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (lmr, ) (Entered: 10/14/2004)

10/13/2004	<a href="#"><u>30</u></a>	Appendix filed by Equal Employment Opportunity Commission. (lmr, ) (Entered: 10/14/2004)
10/27/2004	<a href="#"><u>31</u></a>	REPLY supporting its <a href="#"><u>23</u></a> MOTION for Summary Judgment filed by TXI Operations, LP. (lmr, ) (Entered: 10/28/2004)
12/22/2004	<a href="#"><u>32</u></a>	TRIAL BRIEF by Equal Employment Opportunity Commission. (lmr, ) (Entered: 12/27/2004)
01/03/2005	<a href="#"><u>33</u></a>	JOINT PRETRIAL ORDER..(see order for specifics) (Signed by Judge Jorge A Solis on 01/03/05) (lmr, ) (Entered: 01/04/2005)
01/05/2005	<a href="#"><u>34</u></a>	Witness List by Equal Employment Opportunity Commission. (lmr, ) (Entered: 01/06/2005)
01/05/2005	<a href="#"><u>35</u></a>	Exhibit List by Equal Employment Opportunity Commission. (lmr, ) (Entered: 01/06/2005)
01/05/2005	<a href="#"><u>36</u></a>	Deposition Designations by Equal Employment Opportunity Commission. (lmr, ) (Entered: 01/06/2005)
01/05/2005	<a href="#"><u>37</u></a>	TRIAL BRIEF Regarding the Statutes of Limitations and Recover Periods Applicable to Plaintiff's Claim by TXI Operations, LP. (lmr, ) (Entered: 01/06/2005)
01/05/2005	<a href="#"><u>38</u></a>	Deposition Designations by TXI Operations, LP. (lmr, ) (Entered: 01/06/2005)
01/05/2005	<a href="#"><u>39</u></a>	Witness List by TXI Operations, LP. (lmr, ) (Entered: 01/06/2005)
01/05/2005	<a href="#"><u>40</u></a>	Exhibit List by TXI Operations, LP. (lmr, ) (Entered: 01/06/2005)
01/06/2005	<a href="#"><u>41</u></a>	NOTICE of Attorney Appearance by Keri L Mallon on behalf of Equal Employment Opportunity Commission. (lmr, ) (Entered: 01/07/2005)
01/07/2005	<a href="#"><u>42</u></a>	Minute Entry for proceedings held before Judge Jorge A Solis : Pretrial Conference held on 01/07/05. (Court Reporter Shawn McRoberts.) (lmr, ) (Entered: 01/11/2005)
01/13/2005	<a href="#"><u>43</u></a>	Memorandum Opinion and Order Granting <a href="#"><u>23</u></a> Motion for Summary Judgment filed by TXI Operations, LP,. Plaintiff fails to produce substantial evidence from which this Court can infer that the Defendant's proffered reasons for the pay disparity were actually pretext for sex discrimination.(see order for specifics) (Signed by Judge Jorge A Solis on 01/13/05) (lmr, ) (Entered: 01/14/2005)
01/13/2005	<a href="#"><u>44</u></a>	FINAL JUDGMENT..Pursuant to the Court's Memorandum Opinion and Order filed on January 13, 2005, the Court issues judgment as follows: Plaintiff takes nothing from its claim. Costs are assessed against Plaintiff. (Signed by Judge Jorge A Solis on 01/13/05) (lmr, ) (Entered: 01/14/2005)
01/27/2005	<a href="#"><u>45</u></a>	BILL OF COSTS by TXI Operations, LP. (lmr, ) (Entered: 01/28/2005)
01/27/2005		Costs Taxed in amount of \$8293.38 against Equal Employment Opportunity Commission. (lmr, ) (Entered: 01/28/2005)
02/03/2005	<a href="#"><u>46</u></a>	Objections to Defendant's <a href="#"><u>45</u></a> Bill of Costs filed by Equal Employment Opportunity Commission. (lmr, ) (Entered: 02/04/2005)

02/23/2005	<a href="#">47</a>	RESPONSE to Plaintiff's <a href="#">46</a> Objections to Defendant's <a href="#">45</a> Bill of Costs filed by TXI Operations, LP. (lmr, ) (Entered: 02/25/2005)
03/03/2005	<a href="#">48</a>	REPLY to Defendant's <a href="#">47</a> RESPONSE to Plaintiff's <a href="#">46</a> Objections to Defendant's <a href="#">45</a> Bill of Costs filed by Equal Employment Opportunity Commission. (lmr, ) (Entered: 03/07/2005)
06/07/2005	<a href="#">49</a>	ORDER: Now before the Court are the following: Defendant's Bill of Costs; Plaintiff's Objections; Defendant's Response to Plaintiff's Objections and Plaintiff's Reply to Defendant's Response. Accordingly, after reviewing the Defendant's Bill of Costs, the parties' briefing and the applicable law, the Court hereby awards Defendant: \$3,0577.78 - Deposition transcripts cots. \$1,091.92 - Exemplification and copy costs for a total of \$4,149.70.(see order for specifics) (Signed by Judge Jorge A Solis on 06/07/05) (lmr, ) (Entered: 06/08/2005)
07/05/2005	<a href="#">50</a>	BILL OF COSTS by TXI Operations, LP. (lmr, ) (Entered: 07/07/2005)
07/06/2005		Costs Taxed in amount of \$ 4149.70 against Equal Employment Opportunity Commission. (lmr, ) (Entered: 07/07/2005)

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