

CLOSED, DNF

**U.S. District Court
Middle District of Florida (Ft. Myers)
CIVIL DOCKET FOR CASE #: 2:00-cv-00264-JES**

EEOC, et al v. Sun-Rich
Assigned to: Judge John E. Steele
Demand: \$0
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 06/15/2000
Date Terminated: 03/14/2002
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Jennifer H. Zawid**
Equal Employment Opportunity
Commission
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V.

Defendant

Sun-Rich Of Immokalee, Inc.
formerly known as
Sun-Rich Of Florida City, Florida

represented by **Frank H. Henry**
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Mediator

Bruce A. Blitman
TERMINATED: 12/20/2001

represented by **Bruce A. Blitman**
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Intervenor Defendant

Sun-Rich Of Immokalee, Inc.
formerly known as
Sun-Rich Of Florida City, Florida

represented by **Frank H. Henry**
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Gerald L. Maatman, Jr.
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Intervenor Plaintiff

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Intervenor Plaintiff

Wislin Damas
TERMINATED: 01/10/2001

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Intervenor Plaintiff

Marie Semervil
TERMINATED: 01/10/2001

represented by **Adria Lynn Silva**
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Intervenor Plaintiff

Islande Regis
TERMINATED: 01/10/2001

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Intervenor Plaintiff

Anne Marie Joseph
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Intervenor Plaintiff

Georges Jean-Denis
TERMINATED: 01/10/2001

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Intervenor Plaintiff

Micheline Dubois
TERMINATED: 01/10/2001

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Intervenor Plaintiff

Eugenie Belsince
TERMINATED: 01/10/2001

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Intervenor Plaintiff

Charleus Agathe

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Intervenor Plaintiff

Erilia Francois

TERMINATED: 01/10/2001

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Intervenor Plaintiff

Examene Dorvilus

TERMINATED: 01/10/2001

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*TERMINATED: 01/10/2001**LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Intervenor Plaintiff****Antonia Benjamin***TERMINATED: 01/10/2001*represented by **Adria Lynn Silva**

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*TERMINATED: 01/10/2001**LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Ashley D. Lupo**

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*TERMINATED: 01/10/2001**LEAD ATTORNEY**ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
06/15/2000	<u>1</u>	COMPLAINT filed; jury demand (drn) (Entered: 06/15/2000)
06/15/2000		MAGISTRATE JUDGE CASE ASSIGNMENT Magistrate assigned: Douglas N. Frazier (drn) (Entered: 06/15/2000)
06/16/2000	<u>2</u>	NOTICE of designation under Local Rule 3.05 - TRACK 2. RELATED CASE ORDER. The parties shall file notice of pendency of other actions within 11 days. (ctc) (bjt) (Entered: 06/16/2000)
06/16/2000	<u>3</u>	INTERESTED PERSONS ORDER FOR CIVIL AND CRIMINAL CASES directing the parties to file a certificate of interested persons and corporate disclosure statement within 11 days. (Signed by Magistrate Judge Douglas N. Frazier) ctc (bjt) (Entered: 06/16/2000)
06/30/2000	<u>4</u>	CERTIFICATE OF COMPLIANCE by Equal Employment Re: [3-1] order (bjt) (Entered: 06/30/2000)

06/30/2000	<u>5</u>	NOTICE by Equal Employment of pendency of other actions re: order of compliance to local rule (bjt) (Entered: 06/30/2000)
07/12/2000	<u>6</u>	NOTICE of attorney appearance and assignment for Equal Employment by Pauline Terrelonge (bjt) (Entered: 07/12/2000)
07/19/2000	<u>7</u>	MOTION to intervene by Antoine Leveque, Wislin Damas, Marie Semervil, Islande Regis, Anne Marie Joseph, Georges Jean-Denis, Micheline Dubois, Eugenie Belsince, Charleus Agathe, Erilia Francois, Examene Dorvilus, Antonia Benjamin, referred to Magistrate Judge Douglas N. Frazier (bjt) Modified on 08/11/2000 (Entered: 07/20/2000)
07/19/2000	<u>8</u>	MEMORANDUM by Antoine Leveque, Wislin Damas, Marie Semervil, Islande Regis, Anne Marie Joseph, Georges Jean-Denis, Micheline Dubois, Eugenie Belsince, Charleus Agathe, Erilia Francois, Examene Dorvilus, Antonia Benjamin in support of [7-1] motion to intervene by Antoine Leveque, Wislin Damas, Marie Semervil, Islande Regis, Anne Marie Joseph, Georges Jean-Denis, Micheline Dubois, Eugenie Belsince, Charleus Agathe, Erilia Francois, Examene Dorvilus, Antonia Benjamin (bjt) (Entered: 07/20/2000)
08/02/2000	<u>9</u>	RESPONSE by Equal Employment to [7-1] motion to intervene by Antoine Leveque, Wislin Damas, Marie Semervil, Islande Regis, Anne Marie Joseph, Georges Jean-Denis, Micheline Dubois, Eugenie Belsince, Charleus Agathe, Erilia Francois, Examene Dorvilus, Antonia Benjamin (bjt) (Entered: 08/02/2000)
08/14/2000	<u>10</u>	NOTICE OF CASE REASSIGNMENT to the Honorable Judge John E. Steele . ctc (aa) (Entered: 08/14/2000)
08/14/2000	<u>11</u>	WAIVER OF SERVICE returned executed as to Sun-Rich on 7/21/00 Answer due on 9/19/00 for Sun-Rich (bjt) (Entered: 08/15/2000)
08/16/2000	<u>12</u>	Waiver of Service of Summons form filed by Equal Employment (bjt) (Entered: 08/16/2000)
08/18/2000	<u>13</u>	NOTICE of attorney appearance for Sun-Rich by Gerald L. Maatman, Jr. (bjt) Modified on 08/18/2000 (Entered: 08/18/2000)
08/18/2000	<u>14</u>	NOTICE of attorney appearance for Sun-Rich by Laurie L. Martin (bjt) (Entered: 08/18/2000)
08/18/2000	<u>15</u>	NOTICE of attorney appearance for Sun-Rich by Steven A. Miller (bjt) (Entered: 08/18/2000)
08/18/2000	<u>16</u>	ANSWER and affirmative defenses to [1-1] complaint by Sun-Rich (bjt) (Entered: 08/18/2000)
08/21/2000	<u>17</u>	NOTICE by Sun-Rich of pendency of other actions re: order of compliance to local rule (bjt) (Entered: 08/21/2000)
08/21/2000	<u>18</u>	INTERESTED PERSONS ORDER directing party, Sun Rich to respond within 11 days. (Signed by Judge John E. Steele) ctc (bjt) (Entered: 08/21/2000)
09/05/2000	<u>19</u>	ORDER granting [7-1] motion to intervene. (Signed by Magistrate Judge Douglas N. Frazier) ctc (aa) (Entered: 09/05/2000)

09/05/2000	<u>20</u>	ORDER denying [13-1] appear/appearance notice by attorney Gerald Maatman, denying [14-1] appear/appearance notice by attorney Laurie L. Martin, denying [15-1] appear/appearance notice by attorney Steven A. Miller (Signed by Magistrate Judge Douglas N. Frazier) ctc (aa) (Entered: 09/05/2000)
09/05/2000	<u>21</u>	INTERVENOR'S COMPLAINT by Antoine Leveque, Wislin Damas, Marie Semervil, Islande Regis, Anne Marie Joseph, Georges Jean-Denis, Micheline Dubois, Eugenie Belsince, Charleus Agathe, Erilia Francois, Examene Dorvilus, Antonia Benjamin against Sun-Rich (aa) (Entered: 09/05/2000)
09/05/2000	<u>22</u>	UNOPPOSED MOTION by Equal Employment to extend time case management conference and filing of the joint case management report referred to Magistrate Judge Douglas N. Frazier (aa) (Entered: 09/06/2000)
09/05/2000	<u>23</u>	WAIVER OF SERVICE returned executed as to Sun-Rich on 6/27/00 Answer due on 8/28/00 for Sun-Rich (aa) (Entered: 09/06/2000)
09/05/2000	<u>24</u>	CERTIFICATE OF COMPLIANCE by Sun-Rich Re: [18-1] order (aa) (Entered: 09/06/2000)
09/11/2000	<u>25</u>	ORDER granting [22-1] consent motion to extend time case management conference and filing of the joint case management report. The parties shall have up to and including 9/2000 to confer with respect to the Case Management Conference. The parties are to file case management report no later than 15 days thereafter. (Signed by Magistrate Judge Douglas N. Frazier) ctc (bjt) (Entered: 09/12/2000)
09/14/2000	<u>26</u>	MOTION by Sun-Rich for Gerald Maatman, Jr. to appear pro hac vice referred to Magistrate Judge Douglas N. Frazier (bjt) (Entered: 09/14/2000)
09/14/2000	<u>27</u>	MOTION by Sun-Rich for Steven A. Miller to appear pro hac vice referred to Magistrate Judge Douglas N. Frazier (bjt) (Entered: 09/14/2000)
09/18/2000	<u>28</u>	MOTION by Sun-Rich for Laurie L. Martin to appear pro hac vice referred to Magistrate Judge Douglas N. Frazier (bjt) (Entered: 09/18/2000)
09/18/2000	<u>29</u>	ORDER granting [26-1] motion for Gerald Maatman, Jr. to appear pro hac vice (Signed by Magistrate Judge Douglas N. Frazier) ctc (bjt) (Entered: 09/18/2000)
09/18/2000	<u>30</u>	ORDER granting [27-1] motion for Steven A. Miller to appear pro hac vice (Signed by Magistrate Judge Douglas N. Frazier) ctc (bjt) (Entered: 09/18/2000)
09/19/2000	<u>31</u>	ORDER granting [28-1] motion for Laurie L. Martin to appear pro hac vice (Signed by Magistrate Judge Douglas N. Frazier) ctc (bjt) (Entered: 09/19/2000)
09/19/2000	<u>32</u>	MOTION by Antoine Leveque, Wislin Damas, et al for Frederick C. Kramer to withdraw as attorney referred to Magistrate Judge Douglas N. Frazier (bjt) (Entered: 09/19/2000)
09/19/2000	<u>33</u>	ANSWER and affirmaive defenses by Sun-Rich to [21-1] intervenor complaint (bjt) (Entered: 09/19/2000)
09/20/2000	<u>34</u>	NOTICE by Antoine Leveque, Wislin Damas, et al of pendency of other actions re: order of compliance to local rule (bjt) (Entered: 09/20/2000)

09/26/2000	<u>35</u>	ORDER granting [32-1] motion for Frederick C. Kramer to withdraw as attorney (Terminated attorney Ashley D. Lupo for Antonia Benjamin, attorney Ashley D. Lupo for Examene Dorvilus, attorney Ashley D. Lupo for Erilia Francois, attorney Ashley D. Lupo for Charleus Agathe, attorney Ashley D. Lupo for Eugenie Belsince, attorney Ashley D. Lupo for Micheline Dubois, attorney Ashley D. Lupo for Georges Jean-Denis, attorney Ashley D. Lupo for Anne Marie Joseph, attorney Ashley D. Lupo for Islande Regis, attorney Ashley D. Lupo for Marie Semervil, attorney Ashley D. Lupo for Wislin Damas (Signed by Magistrate Judge Douglas N. Frazier) ctc (bjt) (Entered: 09/26/2000)
10/03/2000	<u>36</u>	CERTIFICATE OF COMPLIANCE by Antoine Leveque, Wislin Damas, Marie Semervil, Islande Regis, Anne Marie Joseph, Georges Jean-Denis, Micheline Dubois, Eugenie Belsince, Charleus Agathe, Erilia Francois, Examene Dorvilus, Antonia Benjamin Re: [3-1] order (bjt) (Entered: 10/03/2000)
10/03/2000	<u>37</u>	CASE MANAGEMENT REPORT (c: courtroom deputy) (bjt) (Entered: 10/03/2000)
10/06/2000	<u>38</u>	CASE MANAGEMENT AND SCHEDULING ORDER setting Joining of parties,amending of pleadings on 11/2/01 ; Discovery cutoff 12/3/01 ; dispositive motion filing deadline for 1/2/02 Pretrial statement due on or before 4/5/02 ; Pretrial conference for 9:00 5/17/02 ; Jury trial set for term commencing 6/3/02 ; Scheduled for Judge John E. Steele (signed by Judge John E. Steele) ctc (bjt) (Entered: 10/06/2000)
10/06/2000	<u>38</u>	NOTICE OF HEARING: set mediation conference for 12/17/01 (Signed by Judge John E. Steele) ctc (bjt) (Entered: 10/06/2000)
10/13/2000		SUMMONS(ES) issued for Janet Reno, U.S. Attorney. Consent(s) issued. (aa) (Entered: 10/13/2000)
11/15/2000	<u>39</u>	MOTION by Sun-Rich with memorandum in support to strike , for summary judgment as to claims for compensatory and punitive damages (bjt) (Entered: 11/15/2000)
11/15/2000	<u>40</u>	SUMMARY JUDGMENT NOTICE (Signed by Deputy Clerk/BJH) ctc (bjt) (Entered: 11/15/2000)
11/20/2000	<u>41</u>	NOTICE of acceptance of offer of judgment to Marie Semervil by Sun-Rich (bjt) (Entered: 11/20/2000)
11/20/2000	<u>42</u>	NOTICE of acceptance of offer of judgment to Isalande Regis by Sun-Rich (bjt) (Entered: 11/20/2000)
11/20/2000	<u>43</u>	NOTICE of acceptance of offer of judgment to Wislin Damas by Sun-Rich (bjt) (Entered: 11/20/2000)
11/20/2000	<u>44</u>	NOTICE of acceptance of offer of judgment to Examene Dorvilus by Sun-Rich (bjt) (Entered: 11/20/2000)
11/20/2000	<u>45</u>	NOTICE of acceptance of offer of judgment to Eugenie Belsince by Sun-Rich (bjt) (Entered: 11/20/2000)
11/20/2000	<u>46</u>	NOTICE of acceptance of offer of judgment to Erilia Francois by Sun-Rich (bjt) (Entered: 11/20/2000)

11/20/2000	<u>47</u>	NOTICE of acceptance of offer of judgment to Micheline Dubois by Sun-Rich (bjt) (Entered: 11/20/2000)
11/20/2000	<u>48</u>	NOTICE of acceptance of offer of judgment to Anne Marie Joseph by Sun-Rich (bjt) (Entered: 11/20/2000)
11/20/2000	<u>49</u>	NOTICE of acceptance of offer of judgment to Antonia Benjamin by Sun-Rich (bjt) (Entered: 11/20/2000)
11/29/2000	<u>50</u>	RESPONSE by Equal Employment in opposition to [39-1] motion to strike, [39-2] motion for summary judgment (sll) (Entered: 11/29/2000)
11/29/2000	50	CROSS MOTION by Equal Employment for summary judgment (sll) (Entered: 11/29/2000)
11/29/2000	<u>51</u>	CONCISE statement of material facts not in dispute in support of EEOC's cross-motion for summary judgment with respect to defendant's first affirmative defense by Equal Employment (sll) (Entered: 11/29/2000)
11/29/2000	<u>52</u>	SUMMARY JUDGMENT NOTICE (sll) (Entered: 11/29/2000)
12/15/2000	<u>53</u>	NOTICE of acceptance of offer of judgment to Georges Jean-Denis by Sun-Rich (bjt) (Entered: 12/15/2000)
12/15/2000	<u>54</u>	NOTICE of acceptance of offer of judgment to Antonine Leveque by Sun-Rich (bjt) (Entered: 12/15/2000)
12/21/2000	<u>55</u>	ORDER pursuant to notices of acceptance of offer of judgments the Clerk shall enter judgment.(Signed by Judge John E. Steele) ctc (bjt) (Entered: 12/21/2000)
12/21/2000	<u>56</u>	JUDGMENT for Antoine Leveque, Wislin Damas, Marie Semervil, Islande Regis, Anne Marie Joseph, Georges Jean-Denis, Micheline Dubois, Eugenie Belsince, Charleus Agathe, Erilia Francois, Examene Dorvilus, Antonia Benjamin against Sun-Rich . Civil appeals checklist mailed. (Signed by Deputy Clerk) ctc (bjt) (Entered: 12/21/2000)
12/21/2000		CASE CLOSED. (bjt) (Entered: 12/21/2000)
01/04/2001	<u>57</u>	MOTION by Sun-Rich to amend judgment (bjt) (Entered: 01/04/2001)
01/10/2001	<u>58</u>	ORDER granting [57-1] motion to amend judgment, vacating [56-1] judgment order. The clerk shall enter an amended judgment. (Signed by Judge John E. Steele) ctc (bjt) (Entered: 01/10/2001)
01/10/2001		CASE REOPENED. (bjt) (Entered: 01/10/2001)
01/10/2001	<u>59</u>	AMENDED JUDGMENT for Antoine Leveque, Wislin Damas, Marie Semervil, Islande Regis, Anne Marie Joseph, Georges Jean-Denis, Micheline Dubois, Eugenie Belsince, Erilia Francois, Examene Dorvilus, Antonia Benjamin against Sun-Rich . Civil appeals checklist mailed. (Signed by Deputy Clerk) ctc (bjt) (Entered: 01/10/2001)
01/22/2001	<u>60</u>	STATEMENT by Antoine Leveque, Marie Semervil, Islande Regis, Anne Marie Joseph, Wislin Damas, Georges Jean-Denis, Micheline Dubois, Eugenie Belsince, Charleus Agathe, Erilia Francois, Examene Dorvilus, Antonia Benjamin in support of [57-1] motion to amend judgment (sll) (Entered: 01/22/2001)

		01/22/2001)
04/02/2001	<u>61</u>	MOTION by Equal Employment with memorandum in support for leave to file in excess of deposition limit referred to Magistrate Judge Douglas N. Frazier (Proposed Order attached) (bjt) (Entered: 04/02/2001)
04/11/2001	<u>62</u>	ORDER granting [61-1] motion for leave to file in excess of deposition limit (Signed by Magistrate Judge Douglas N. Frazier) ctc (bjt) (Entered: 04/11/2001)
04/16/2001	<u>63</u>	RESPONSE by Sun-Rich to [61-1] motion for leave to file in excess of deposition limit (bjt) (Entered: 04/16/2001)
06/25/2001	<u>64</u>	MOTION by Equal Employment to substitute attorney referred to Magistrate Judge Douglas N. Frazier (bjt) (Entered: 06/25/2001)
06/26/2001	<u>65</u>	ORDER granting [64-1] motion to substitute attorney (Signed by Magistrate Judge Douglas N. Frazier) ctc (bjt) (Entered: 06/26/2001)
06/29/2001	<u>66</u>	AMENDED NOTICE OF HEARING: reset pretrial conference for 9:00 5/20/02 scheduled for Judge John E. Steele (Signed by Deputy Clerk) ctc (bjt) (Entered: 06/29/2001)
08/17/2001	<u>67</u>	MOTION by Sun-Rich with memorandum in support for case management conference hearing (bjt) (Entered: 08/20/2001)
08/22/2001	<u>68</u>	ORDER granting [67-1] motion for case management conference hearing. This matter is referred to Magistrate Judge Frazier to hold a preliminary pretrial conference. (Signed by Judge John E. Steele) ctc (bjt) (Entered: 08/22/2001)
08/22/2001	<u>69</u>	NOTICE of pending dispositive motion by Sun-Rich (bjt) (Entered: 08/22/2001)
08/22/2001	<u>70</u>	NOTICE OF HEARING: set preliminary pretrial conference for 11:00 9/10/01 scheduled for Magistrate Judge Douglas N. Frazier (Signed by Deputy Clerk) ctc (bjt) (Entered: 08/22/2001)
09/10/2001	<u>71</u>	PRELIMINARY PRETRIAL CONFERENCE held on 9/10/01 before Magistrate Judge Douglas N. Frazier Court Reporter: NMRS-Patsy Coleman (bjt) (Entered: 09/11/2001)
09/12/2001	<u>72</u>	ORDER that within 10 days from the date of this Order the Plaintiff and Intervenor shall provide the names and addresses of all individuals that are eligible to be claimants in this action that have not been provided previously. (Signed by Magistrate Judge Douglas N. Frazier) ctc (bjt) (Entered: 09/12/2001)
09/21/2001	<u>73</u>	RESPONSE by Equal Employment to [72-1] order (bjt) (Entered: 09/21/2001)
09/21/2001	<u>74</u>	NOTICE of withdrawal of counsel (bjt) (Entered: 09/21/2001)
10/01/2001	<u>75</u>	NOTICE of re-assignment of attorney by Equal Employment (bjt) (Entered: 10/03/2001)
10/05/2001	<u>76</u>	MOTION by Charleus Agathe for Adria Lynn Silva to withdraw as attorney referred to Magistrate Judge Douglas N. Frazier (bjt) (Entered: 10/05/2001)
10/09/2001	<u>77</u>	ORDER granting [76-1] motion for Adria Lynn Silva to withdraw as attorney (Terminated (Signed by Magistrate Judge Douglas N. Frazier) ctc (bjt) (Entered: 10/10/2001)

10/15/2001	<u>78</u>	NOTICE of substitution of counsel by Equal Employment (bjt) (Entered: 10/15/2001)
12/07/2001	<u>79</u>	NOTICE of mediation by Sun-Rich (bjt) (Entered: 12/07/2001)
12/20/2001	<u>80</u>	MEDIATION REPORT. Mediation conference held: 12/17/01. Bruce Blitman, mediator. Hearing outcome: SETTLED (bjt) (Entered: 12/20/2001)
01/07/2002	<u>81</u>	ORDER this cause is dismissed without prejudice subject to the right of the parties within 60 days to move otherwise. The Clerk is directed to terminate any deadlines and motions. (Signed by Judge John E. Steele) ctc (bjt) (Entered: 01/07/2002)
01/23/2002	<u>82</u>	CONSENT DECREE by Sun-Rich, Equal Employment (bjt) (Entered: 01/23/2002)
01/28/2002	<u>83</u>	ORDER that the parties may file a memorandum of reasons within 20 days concerning jurisdiction.(Signed by Judge John E. Steele) ctc (bjt) (Entered: 01/28/2002)
02/19/2002	<u>84</u>	CERTIFICATE OF COMPLIANCE by Sun-Rich, Equal Employment Re: [83-1] order regarding consent decree. (aa) (Entered: 02/20/2002)
03/14/2002		ENDORSED ORDER granting [82-1] decree consent (Signed by Judge John E. Steele) ctc (aa) (Entered: 03/14/2002)
03/14/2002		CASE CLOSED. (aa) (Entered: 03/14/2002)

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