

CLOSED

**U.S. District Court
Western District of Louisiana (Shreveport)
CIVIL DOCKET FOR CASE #: 5:08-cv-00686-TS-MLH**

U S A v. Collier et al
Assigned to: Judge Tom Stagg
Referred to: Magistrate Judge Mark L Hornsby
Demand: \$0
Cause: 42:405 Fair Housing Act

Date Filed: 05/20/2008
Date Terminated: 09/28/2010
Jury Demand: None
Nature of Suit: 443 Civil Rights:
Accommodations
Jurisdiction: U.S. Government Plaintiff

Plaintiff

USA
on behalf of
Ronald Tucker
on behalf of
Sherrell Tucker

represented by **Sean R Keveney**
U S Dept of Justice Housing & Civil
Enforcement Section
950 Pennsylvania Ave N W G St
Washington, DC 20006
202-514-4838
Fax: 202-514-1116
Email: sean.r.keveney@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joseph R Gaeta
U S Dept of Justice Civil Rights Div (Penn
Ave)
950 Pennsylvania Ave N W Rm 4034
Washington, DC 20530
202-353-9062
Fax: 202-514-1116
Email: joe.gaeta@usdoj.gov
TERMINATED: 12/31/2008

V.

Defendant

Reggie Collier

represented by **M Thomas Arceneaux**
Blanchard Walker et al
P O Drawer 1126
Shreveport, LA 71163-1126
318-221-6858
Fax: 318-227-2967
Email: tarceneaux@bwor.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

B Slattery Johnson , Jr
Blanchard Walker et al
P O Drawer 1126
Shreveport, LA 71163-1126
318-934-0237
Fax: 318-227-2967
Email: sjohnson@bwor.com
ATTORNEY TO BE NOTICED

Jerry Edwards
Blanchard Walker et al
P O Drawer 1126
Shreveport, LA 71163-1126
318-221-6858
Fax: 318-227-2967

Email: jedwards@bwor.com
 ATTORNEY TO BE NOTICED

Defendant**Kim Collier**

represented by **M Thomas Arceneaux**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

B Slattery Johnson , Jr
 (See above for address)
 ATTORNEY TO BE NOTICED

Jerry Edwards
 (See above for address)
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/20/2008	<u>1</u>	COMPLAINT against all defendants filed by United States of America. (Attachments: # <u>1</u> Civil cover sheet)(aty,Gaeta, Joseph) (Entered: 05/20/2008)
05/20/2008		CASE Assigned to Judge Tom Stagg and Magistrate Judge Mark L Hornsby. (crt,Thigpen, M) (Entered: 05/20/2008)
05/22/2008	<u>2</u>	SUMMONS ISSUED as to Reggie Collier, Kim Collier. (crt,Reasor, M) (Entered: 05/22/2008)
06/13/2008	<u>3</u>	SUMMONS Returned Executed by U S A. Reggie Collier served on 6/10/2008, answer due 6/30/2008. (crt,Reasor, Mary) (Entered: 06/16/2008)
06/13/2008	<u>4</u>	SUMMONS Returned Executed by U S A. Kim Collier served on 6/10/2008, answer due 6/30/2008. (crt,Reasor, Mary) (Entered: 06/16/2008)
06/30/2008	<u>5</u>	ANSWER to <u>1</u> Complaint <i>with Certificate of Service</i> by Reggie Collier, Kim Collier.(aty,Arceneaux, M) (Entered: 06/30/2008)
09/03/2008	<u>6</u>	ORDER: Rule 26 Conference between parties to take place before 10/1/2008. Initial Disclosure due by 10/15/2008. Rule 26 Report due by 10/15/2008. Scheduling Conference set for 10/22/2008 10:00 AM in Chambers before Magistrate Judge Mark L Hornsby. Signed by Magistrate Judge Mark L Hornsby on 9/3/2008. (Attachments: # <u>1</u> Case Management Report Form)(crt,Reasor, Mary) (Entered: 09/03/2008)
10/14/2008	<u>7</u>	RULE 26(f) Report. (aty,Gaeta, Joseph) (Entered: 10/14/2008)
10/22/2008	8	MINUTES: A SCHEDULING CONFERENCE was held before Magistrate Judge Mark Hornsby on October 22, 2008. (crt,Cassanova, M) (Entered: 10/24/2008)
10/22/2008	<u>9</u>	SCHEDULING ORDER: At the October 22, 2008 Scheduling Conference before Magistrate Judge Hornsby, the following dates were set on the docket of Judge Stagg: A Bench Trial is set for 8/31/2009 at 09:30 a.m. A Pretrial Conference is set for 7/31/2009 at 11:00 a.m. Joinder of Parties and Amendment of Pleadings due by 11/21/2008. Plaintiff's Expert Info/Reports due by 3/31/2009. Witness Lists due by 3/31/2009. Discovery due by 5/29/2009. Defendants' Expert Info/Reports due by 5/29/2009. Dispositive Motions due by 5/29/2009. Expert Depositions due by 6/19/2009. Conference/Meeting of counsel to prepare pretrial order to be held by 7/1/2009. Motions in Limine due by 7/16/2009. Pretrial Order due by 7/21/2009. Trial Depositions due by 8/10/2009. Trial Brief/Pretrial Submissions due by 8/21/2009. Signed by Magistrate Judge Mark Hornsby on 10/22/08. (crt,Cassanova, M) (Entered: 10/24/2008)
12/30/2008	<u>10</u>	MOTION to Substitute Attorney Sean R. Keveney in place of Joseph R. Gaeta by USA. Motions referred to Mark L Hornsby. (Attachments: # <u>1</u> Text of proposed order)(aty,Keveney, Sean) (Entered: 12/30/2008)

12/31/2008	<u>11</u>	ORDER granting <u>10</u> Motion to Substitute Attorney. Added attorney Sean R Keveney for USA. Attorney Joseph R Gaeta terminated. Signed by Magistrate Judge Mark L Hornsby on 12/31/2008. (crt,Reasor, Mary) (Entered: 01/06/2009)
07/13/2009	<u>12</u>	MOTION in Limine to <i>Exclude Character Witnesses</i> by USA. (Attachments: # <u>1</u> Memorandum / Brief)(aty,Keveney, Sean) (Entered: 07/13/2009)
07/13/2009	<u>13</u>	MOTION in Limine to <i>Exclude Evidence of Conviction</i> by USA. (Attachments: # <u>1</u> Memorandum / Brief)(aty,Keveney, Sean) (Entered: 07/13/2009)
07/13/2009	<u>14</u>	MOTION in Limine to <i>Exclude Defendants' Submitted Photographs</i> by USA. (Attachments: # <u>1</u> Memorandum / Brief)(aty,Keveney, Sean) (Entered: 07/13/2009)
07/13/2009	<u>15</u>	NOTICE of Motion Referred to Chambers due to trial setting of 8/31/2009 regarding <u>12</u> MOTION in Limine to <i>Exclude Character Witnesses</i> , <u>13</u> MOTION in Limine to <i>Exclude Evidence of Conviction</i> , <u>14</u> MOTION in Limine to <i>Exclude Defendants' Submitted Photographs</i> Motions referred to Tom Stagg.(crt,Reasor, M) (Entered: 07/13/2009)
07/16/2009	<u>16</u>	Joint MOTION FOR EXTENSION of Deadline to Take Trial Deposition with consent by USA. Motions referred to Mark L Hornsby. (Attachments: # <u>1</u> Text of proposed order, # <u>2</u> Affidavit)(aty,Keveney, Sean) Modified on 7/16/2009 to edit text (Keifer, K). (Entered: 07/16/2009)
07/16/2009	<u>17</u>	MOTION in Limine with <i>Certificate of Service</i> by Reggie Collier, Kim Collier. (Attachments: # <u>1</u> Memorandum / Brief, # <u>2</u> Text of Proposed Order)(aty,Johnson, B) Modified on 7/17/2009 to edit text (Reasor, M). (Entered: 07/16/2009)
07/17/2009	<u>18</u>	NOTICE of Motion Referred to Chambers due to trial setting of 8/31/2009 regarding <u>17</u> MOTION in Limine. Motions referred to Tom Stagg.(crt,Reasor, M) (Entered: 07/17/2009)
07/17/2009	<u>19</u>	ORDER granting <u>16</u> Motion for Extension of Deadline to Take Trial Deposition. It is ordered that the Scheduling Order is modified to permit the parties to depose Ronald Tucker on or before 8/17/2009. Signed by Magistrate Judge Mark L Hornsby on 7/17/2008. (crt,Reasor, M) (Entered: 07/17/2009)
07/17/2009	<u>20</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>13</u> MOTION in Limine to <i>Exclude Evidence of Conviction</i> , <u>14</u> MOTION in Limine to <i>Exclude Defendants' Submitted Photographs</i> , <u>12</u> MOTION in Limine to <i>Exclude Character Witnesses</i> with consent by Reggie Collier, Kim Collier. Motions referred to Mark L Hornsby. (Attachments: # <u>1</u> Text of Proposed Order)(aty,Johnson, B) Modified on 7/20/2009 to edit text (Reasor, M). (Entered: 07/17/2009)
07/20/2009		Motions Transferred regarding <u>20</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>13</u> MOTION in Limine, <u>14</u> MOTION in Limine, <u>12</u> MOTION in Limine. Motions referred to Tom Stagg. (crt,Reasor, M) (Entered: 07/20/2009)
07/20/2009	<u>21</u>	MEMORANDUM in Opposition re <u>17</u> MOTION in Limine with <i>Certificate of Service</i> filed by USA. (aty,Keveney, Sean) (Entered: 07/20/2009)
07/20/2009	<u>22</u>	ORDER granting in part <u>20</u> Motion for Extension of Time to File Response/Reply re <u>12</u> MOTION in Limine, <u>13</u> MOTION in Limine, <u>14</u> MOTION in Limine. Responses due by 7/27/2009 at 12:00 PM. Signed by Judge Tom Stagg on 7/20/2009. (crt,Reasor, M) (Entered: 07/20/2009)
07/21/2009	<u>23</u>	Joint PROPOSED PRETRIAL ORDER by Kim Collier, Reggie Collier, USA. (aty,Keveney, Sean) Modified on 7/21/2009 to add filers and edit text (Reasor, M). (Entered: 07/21/2009)
07/21/2009	<u>24</u>	EXHIBIT LIST for <i>Defendants Kimberly and Reggie Collier</i> by USA. (aty,Keveney, Sean) (Entered: 07/21/2009)
07/21/2009	<u>25</u>	EXHIBIT LIST for <i>Plaintiff, United States</i> by USA. (aty,Keveney, Sean) (Entered: 07/21/2009)

07/21/2009	<u>26</u>	Joint WITNESS LIST filed (restricted access) by Kim Collier, Reggie Collier, USA. (aty,Keveney, Sean) Modified on 7/21/2009 to add filers (Reasor, M). (Entered: 07/21/2009)
07/27/2009	<u>27</u>	RESPONSE to Motion re <u>13</u> MOTION in Limine to <i>Exclude Evidence of Conviction</i> filed by Reggie Collier, Kim Collier. (aty,Edwards, Jerry) (Entered: 07/27/2009)
07/27/2009	<u>28</u>	RESPONSE to Motion re <u>12</u> MOTION in Limine to <i>Exclude Character Witnesses</i> filed by Reggie Collier, Kim Collier. (aty,Edwards, Jerry) (Entered: 07/27/2009)
07/27/2009	<u>29</u>	RESPONSE to Motion re <u>14</u> MOTION in Limine to <i>Exclude Defendants' Submitted Photographs</i> filed by Reggie Collier, Kim Collier. (aty,Edwards, Jerry) (Entered: 07/27/2009)
07/30/2009	<u>30</u>	MEMORANDUM ORDER granting <u>12</u> Motion in Limine; denying <u>13</u> Motion in Limine; granting <u>14</u> Motion in Limine. Signed by Judge Tom Stagg on 7/30/2009. (crt,McDonnell, D) (Entered: 07/30/2009)
07/30/2009	<u>31</u>	MEMORANDUM ORDER denying in part <u>17</u> Motion in Limine. Signed by Judge Tom Stagg on 7/30/2009. (crt,McDonnell, D) (Entered: 07/30/2009)
08/04/2009	<u>32</u>	MINUTES for proceedings held before Judge Tom Stagg: FINAL PRETRIAL CONFERENCE held on 8/4/2009. (crt,Joffrion, B) (Entered: 08/04/2009)
08/04/2009		Reset Scheduling Order Deadlines: Bench Trial set for 9/1/2009 09:30 AM in Shreveport, Courtroom 1 before Judge Tom Stagg. (crt,Joffrion, B) (Entered: 08/04/2009)
08/21/2009	<u>33</u>	PROPOSED FINDINGS OF FACT by Reggie Collier, Kim Collier. (aty,Arceneaux, M) (Entered: 08/21/2009)
08/21/2009	<u>34</u>	TRIAL BRIEF by USA. (aty,Keveney, Sean) (Entered: 08/21/2009)
08/25/2009	<u>35</u>	TRIAL BRIEF (<i>Summary of Witnesses</i>) by Reggie Collier, Kim Collier. (aty,Arceneaux, M) (Entered: 08/25/2009)
08/25/2009	<u>36</u>	WITNESS LIST filed (restricted access) by USA. (aty,Keveney, Sean) (Entered: 08/25/2009)
08/25/2009	<u>37</u>	OBJECTION re <u>24</u> Exhibit List Defense Exhibit 2 by USA. Motions referred to Mark L Hornsby. (aty,Keveney, Sean) Modified on 8/25/2009 to more accurately identify pleading submitted and create link to appropriate pleading (Reasor, M). (Entered: 08/25/2009)
08/25/2009		NOTICE of Corrective Action to Sean R Keveney on behalf of USA regarding <u>37</u> OBJECTION re <u>24</u> Exhibit List Defense Exhibit 2. Action taken: Modified entry to more accurately identify pleading submitted. (crt,Reasor, M) (Entered: 08/25/2009)
08/25/2009	<u>38</u>	MOTION in Limine to <i>Exclude Testimony of Lester Bush</i> by USA. (Attachments: # <u>1</u> Exhibits 1)(aty,Keveney, Sean) (Entered: 08/25/2009)
08/26/2009	<u>39</u>	NOTICE of Motion Referred to Chambers due to trial setting of 9/1/2009 regarding <u>38</u> MOTION in Limine to <i>Exclude Testimony of Lester Bush</i> . Motions referred to Tom Stagg. (crt,Reasor, M) (Entered: 08/26/2009)
08/26/2009	<u>40</u>	RESPONSE re <u>37</u> OBJECTION to Defense Exhibit 2 by Reggie Collier, Kim Collier. (aty,Arceneaux, M) Modified on 8/26/2009 to edit text and create link to appropriate pleading (Reasor, M). (Entered: 08/26/2009)
08/26/2009	<u>41</u>	RESPONSE to <i>Plaintiff's Pretrial Brief</i> by Reggie Collier, Kim Collier re <u>34</u> Trial Brief. (aty,Arceneaux, M) (Entered: 08/26/2009)
08/27/2009	<u>42</u>	MEMORANDUM ORDER OVERRULING <u>37</u> Objection to Defense Exhibit 2. The 2 advertisements will be allowed as evidence. Signed by Judge Tom Stagg on 8/27/2009. (crt,Reasor, M) (Entered: 08/28/2009)
08/28/2009	<u>43</u>	RESPONSE to Motion re <u>38</u> MOTION in Limine to <i>Exclude Testimony of Lester Bush</i> filed by Reggie Collier, Kim Collier. (aty,Johnson, B) (Entered: 08/28/2009)

09/01/2009	<u>44</u>	WITNESS LIST filed (restricted access) by Reggie Collier, Kim Collier. (aty,Johnson, B) (Entered: 09/01/2009)
09/01/2009	<u>45</u>	MINUTES for proceedings held before Judge Tom Stagg: denying <u>38</u> Motion in Limine; BENCH TRIAL held on 9/1/2009. Court will resume on 9/2/2009 at 9:00 a.m. (Court Reporter: Marie Runyon) (crt,Joffrion, B) (Entered: 09/02/2009)
09/02/2009	<u>46</u>	MINUTES for proceedings held before Judge Tom Stagg: BENCH TRIAL completed on 9/2/2009. On or before 10/2/2009, the government shall file its written closing argument, containing specific citations to record evidence that support each element of its claims. On or before 10/16/2009, the defendants shall file their response, containing specific citations to record evidence that support their defense. On or before 10/30/2009, the government shall file a rebuttal.Court Reporter: Marie Runyon) (crt,Joffrion, B) (Entered: 09/03/2009)
09/02/2009		Set Deadlines: Government shall file it's written closing arguments on or before 10/2/2009. Defendants shall file it's response on or before 10/16/2009. Government shall file it's rebuttal on or before 10/30/2009. (crt,Joffrion, B) (Entered: 09/03/2009)
09/02/2009	<u>47</u>	WITNESS LIST filed (restricted access) by USA, Reggie Collier, Kim Collier. (crt,Joffrion, B) (Entered: 09/03/2009)
09/02/2009	<u>48</u>	EXHIBIT LIST by USA, Reggie Collier, Kim Collier. (crt,Joffrion, B) (Entered: 09/03/2009)
09/15/2009	<u>49</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings for Bench Trial held September 1–2, 2009, before Judge Tom Stagg. Court Reporter: Marie Runyon, Telephone number (318) 222–9203. Volume I, pages 1–200. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER or the Court Reporter. Redaction Request due 10/6/2009. Redacted Transcript Deadline set for 10/16/2009. Release of Transcript Restriction set for 12/14/2009. (Attachments: # <u>1</u> Trial Volume II, pages 201–311)(crt,Runyon, M) (Entered: 09/15/2009)
10/02/2009	<u>50</u>	PROPOSED FINDINGS OF FACT by USA. (Attachments: # <u>1</u> Text of proposed order, # <u>2</u> Exhibits 1)(aty,Keveney, Sean) (Entered: 10/02/2009)
10/06/2009	<u>51</u>	Unopposed MOTION FOR EXTENSION of Deadline for Closing Arguments With consent by Reggie Collier, Kim Collier. Motions referred to Mark L Hornsby. (Attachments: # <u>1</u> Text of proposed order)(aty,Arceneaux, M) (Entered: 10/06/2009)
10/06/2009		Motions Transferred regarding <u>51</u> Unopposed MOTION FOR EXTENSION of Deadline for Closing Arguments With consent. Motions referred to Tom Stagg. (crt,Reasor, M) (Entered: 10/07/2009)
10/07/2009	<u>52</u>	ELECTRONIC ORDER granting <u>51</u> Motion to Extend. IT IS ORDERED that the deadline for Defendants REGGIE COLLIER and KIM COLLIER to file written closing argument be and it hereby is extended from October 16, 2009, to October 23, 2009. IT IS FURTHER ORDERED that the deadline for filing a rebuttal written closing argument by the United States be and it hereby is extended from October 30, 2009, to November 6, 2009. (jud,Hornsby, Mark) (Entered: 10/07/2009)
10/23/2009	<u>53</u>	TRIAL BRIEF Written Closing Argument by Reggie Collier, Kim Collier. (aty,Johnson, B) Modified on 10/26/2009 to edit text (Reasor, M). (Entered: 10/23/2009)
11/06/2009	<u>54</u>	RESPONSE to <i>Defendants' Closing Argument</i> by USA re <u>50</u> Proposed Findings of Fact. (aty,Keveney, Sean) (Entered: 11/06/2009)
03/08/2010	<u>55</u>	Joint MOTION to Supplement Trial Record by USA, Kim Collier and Reggie Collier. Motions referred to Mark L Hornsby. (Attachments: # <u>1</u> Proposed Exhibits Trial Testimony of Ronald Tucker)(aty,Keveney, Sean) Modified on 3/9/2010 to add filers and indicate proposed order is e–filed as document <u>56</u> (Smith, C). (Entered: 03/08/2010)

03/08/2010		Motions Transferred regarding <u>55</u> Joint MOTION to Supplement Trial Record. Motions referred to Tom Stagg. (crt,Smith, C) (Entered: 03/09/2010)
03/09/2010	<u>56</u>	PROPOSED ORDER/JUDGMENT by USA re <u>55</u> Joint Motion to Supplement Trial Record. (aty,Keveney, Sean) Modified on 3/9/2010 to edit text (Smith, C). (Entered: 03/09/2010)
03/15/2010	<u>57</u>	ORDER granting <u>55</u> Joint Motion to Supplement Trial Record. Signed by Judge Tom Stagg on 3/15/10. (crt,Smith, C) (Entered: 03/15/2010)
03/15/2010	<u>58</u>	SUPPLEMENT TO TRIAL RECORD: Transcript of video deposition of Ronald Tucker filed by Kim Collier, Reggie Collier, USA. (crt,Smith, C) (Entered: 03/15/2010)
09/28/2010	<u>59</u>	MEMORANDUM RULING. Signed by Judge Tom Stagg on 9/28/2010. (crt,Keifer, K) (Entered: 09/28/2010)
09/28/2010	<u>60</u>	JUDGMENT in favor of plaintiff, United States of America. Signed by Judge Tom Stagg on 9/28/2010. (crt,Keifer, K) (Entered: 09/28/2010)
12/16/2010	<u>61</u>	NOTICE of Intent to Destroy Exhibits in a civil case by Clerk of Court (crt,Reasor, M) (Entered: 12/16/2010)