

**U.S. District Court  
Southern District of Mississippi (Hattiesburg)  
CIVIL DOCKET FOR CASE #: 2:11-cv-00041-KS-MTP**

Cook et al v. Howard Industries, Inc.  
Assigned to: District Judge Keith Starrett  
Referred to: Magistrate Judge Michael T. Parker  
Cause: 42:1981 Job Discrimination (Race)

Date Filed: 02/25/2011  
Date Terminated: 03/11/2013  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**Veronica Cook**  
*on behalf of herself and all others  
similarly situated*

represented by **Lisa Mishune Ross**  
LISA M. ROSS, ATTORNEY  
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**Plaintiff**

**Yolanda Phelps**  
*on behalf of herself and all others  
similarly situated  
also known as  
Ylounda Phelps*

represented by **Lisa Mishune Ross**  
(See above for address)  
**LEAD ATTORNEY**  
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**J. Clifton Johnson , II**  
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**Plaintiff**

**Charlyn Dozier**  
*on behalf of herself and all others  
similarly situated*

represented by **Lisa Mishune Ross**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**J. Clifton Johnson , II**  
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**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Seleatha McGee**  
*on behalf of herself and all others  
similarly situated*

represented by **Lisa Mishune Ross**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**J. Clifton Johnson , II**  
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V.

**Defendant**

**Howard Industries, Inc.**

represented by **Richard L. Yoder**  
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*TERMINATED: 11/16/2012*  
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**Interested Party****Chiana CA Perkins**represented by **Chiana CA Perkins**  
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Taylorville, MS 39168  
PRO SE

Date Filed	#	Docket Text
02/25/2011	<u>1</u>	COMPLAINT against Howard Industries, Inc. ( Filing fee \$ 350 receipt number 34643008322) filed by Veronica Cook, Yolanda Phelps, Seleatha McGee and Charlyn Dozier. (Attachment: # <u>1</u> Civil Cover Sheet)(mbs) (Entered: 02/28/2011)
02/25/2011	<u>2</u>	FIRST AMENDED COMPLAINT against Howard Industries, Inc. filed by Veronica Cook, Yolanda Phelps, Seleatha McGee and Charlyn Dozier.(mbs) (Main Document 2 replaced on 4/20/2011) (ALJ). (Entered: 02/28/2011)
03/03/2011	<u>3</u>	Summons Issued as to Howard Industries, Inc. (mbs) (Entered: 03/03/2011)
04/20/2011		DOCKET ANNOTATION as to #2. Document replaced. Page 9 of amended complaint was not initially included. Clerk's Office inserted page 9 and replaced document. (ALJ) (Entered: 04/20/2011)
04/21/2011	<u>4</u>	SUMMONS Returned Executed by Veronica Cook, Yolanda Phelps, Seleatha McGee, Charlyn Dozier Howard Industries, Inc. served on 4/19/2011, answer due 5/10/2011. (Ross, Lisa) (Entered: 04/21/2011)
05/04/2011	<u>5</u>	NOTICE of Appearance by Richard L. Yoder on behalf of All Defendants (Yoder, Richard) (Entered: 05/04/2011)
05/05/2011	<u>6</u>	NOTICE of Appearance by Richard L. Yoder, Jr on behalf of Howard Industries, Inc. (Yoder, Richard) (Entered: 05/05/2011)
05/05/2011	<u>7</u>	MOTION for Gordon D. Todd to Appear Pro Hac Vice by Howard Industries, Inc. (Yoder, Richard) (Entered: 05/05/2011)
05/05/2011	<u>8</u>	MOTION for Mark D. Hopson to Appear Pro Hac Vice by Howard Industries, Inc. (Yoder, Richard) (Entered: 05/05/2011)
05/05/2011	<u>9</u>	MOTION for Danielle Carter to Appear Pro Hac Vice by Howard Industries, Inc. (Yoder, Richard) (Entered: 05/05/2011)
05/06/2011		TEXT ONLY ORDER granting <u>7</u> Motion to Appear Pro Hac Vice; granting <u>8</u> Motion to Appear Pro Hac Vice; granting <u>9</u> Motion to Appear Pro Hac Vice. Gordon D. Todd, Mark D. Hopson and Danielle Carter are hereby admitted pro hac vice upon payment of the pro hac admission fees and registering for electronic filing. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Michael T. Parker on May 6, 2011 (KPM) (Entered: 05/06/2011)
05/06/2011		Pro Hac Vice fee paid by Danielle Carter \$ 100, receipt number 34643009686 (mbs) (Entered: 05/06/2011)
05/06/2011		Pro Hac Vice fee paid by Mark D. Hopson \$ 100, receipt number 34643009687 (mbs) (Entered: 05/06/2011)
05/06/2011		Pro Hac Vice fee paid by Gordon D. Todd \$ 100, receipt number 34643009688 (mbs) (Entered: 05/06/2011)
05/10/2011	<u>10</u>	ANSWER to <u>2</u> Amended Complaint by Howard Industries, Inc..(Yoder, Richard) (Entered: 05/10/2011)
05/10/2011	<u>11</u>	Corporate Disclosure Statement by Howard Industries, Inc. (Yoder, Richard) (Entered: 05/10/2011)
05/13/2011	<u>12</u>	Rule 16(a) Initial Order: Telephonic Case Management Conference set for 6/29/2011 9:30 AM before Magistrate Judge Michael T. Parker. Counsel for plaintiff is responsible for initiating the conference call and shall contact Judge Parker's chambers (601.544.9100) when all parties are connected. Confidential

		settlement memoranda are due on or before 6/24/11. (KPM) (Entered: 05/13/2011)
05/18/2011	<u>13</u>	NOTICE of Appearance by J. Clifton Johnson, II on behalf of All Plaintiffs (Johnson, J.) (Entered: 05/18/2011)
05/19/2011		DOCKET ANNOTATION as to Document #13: Identification of filer is incomplete. L.U.Civ.R. Rule 11.(a) states that all filed, signed documents must contain counsel's name, address, telephone number, fax number, e-mail address and counsel's bar membership identification number. Attorney is advised to comply with this requirement in future filings. (DM) (Entered: 05/19/2011)
05/19/2011		Rule 16(a) order mailed to J. Clifton Johnson, II (KPM) (Entered: 05/19/2011)
06/27/2011		Reset Hearings: At the request of the parties, the Telephonic Case Management Conference is reset for 7/27/2011 1:30 PM before Magistrate Judge Michael T. Parker. Counsel for plaintiff is responsible for initiating the conference call and shall contact Judge Parker's chambers (601.544.9100) when all parties are connected. Confidential settlement memoranda are due on or before 7/22/11. (KPM) (Entered: 06/27/2011)
07/15/2011		Reset Hearings: At the request of the parties and having confirmed their availability, the Telephonic Case Management Conference is reset for 8/10/2011 1:30 PM before Magistrate Judge Michael T. Parker. Counsel for plaintiff is responsible for initiating the conference call and shall contact Judge Parker's chambers (601.544.9100) when all parties are connected. Confidential settlement memoranda are due on or before 8/4/11. (KPM) (Entered: 07/15/2011)
08/10/2011		Minute Entry for proceedings held before Magistrate Judge Michael T. Parker: Telephonic Case Management Conference held on 8/10/2011. A case management order will be entered. PARTICIPANTS: Cliff Johnson and Lisa Ross for plaintiffs; Dick Yoder, Danielle Carter and Gordon Todd for defendant. (KPM) (Entered: 08/10/2011)
08/11/2011	<u>14</u>	INITIAL CASE MANAGEMENT ORDER. Signed by Magistrate Judge Michael T. Parker on August 11, 2011 (KPM) (Entered: 08/11/2011)
09/30/2011		NOTICE of Hearing: Telephonic Status Conference set for 11/1/2011 10:00 AM (Central Time) before Magistrate Judge Michael T. Parker. Counsel for plaintiff is responsible for initiating the conference call and shall contact Judge Parker's chambers (601.544.9100) when all parties are connected. (KPM) (Entered: 09/30/2011)
10/12/2011	<u>15</u>	NOTICE of Service of <i>Initial</i> Disclosure by Howard Industries, Inc. (Yoder, Richard) (Entered: 10/12/2011)
10/13/2011		Reset Hearings: Having confirmed the availability of counsel, the TELEPHONIC Status Conference is RESET for 10/31/2011 2:00 PM before Magistrate Judge Michael T. Parker. Counsel for plaintiff is responsible for initiating the conference call and shall contact Judge Parker's chambers (601.544.9100) when all parties are connected. (KPM) (Entered: 10/13/2011)
10/18/2011	<u>16</u>	NOTICE of Service of <i>Plaintiffs' Pre-Discovery</i> Disclosure by Veronica Cook, Charlyn Dozier, Seleatha McGee, Yolanda Phelps (Johnson, J.) (Entered: 10/18/2011)
10/20/2011	<u>17</u>	NOTICE of Service of Interrogatories by Howard Industries, Inc. (Yoder, Richard) (Entered: 10/20/2011)
10/25/2011	<u>18</u>	NOTICE of Service of Interrogatories by Veronica Cook, Charlyn Dozier, Seleatha McGee, Yolanda Phelps (Johnson, J.) (Entered: 10/25/2011)
10/31/2011		Joint Ore Tenus MOTION for Protective Order by Veronica Cook, Charlyn Dozier, Howard Industries, Inc., Seleatha McGee, Yolanda Phelps. (KM) (Entered: 10/31/2011)
10/31/2011	<u>19</u>	ANSWER to Complaint by Howard Industries, Inc..(Yoder, Richard) (Entered: 10/31/2011)

10/31/2011		Minute Entry for proceedings held before Magistrate Judge Michael T. Parker: Telephonic Status Conference held on 10/31/2011. An order amending the case management order will be entered. PARTICIPANTS: Cliff Johnson for plaintiffs; Dick Yoder, Danielle Carter and Gordon Todd for defendant. (KM) (Entered: 10/31/2011)
10/31/2011		Joint Ore Tenus MOTION to Consolidate Cases by Veronica Cook, Charlyn Dozier, Howard Industries, Inc., Seleatha McGee, Yolanda Phelps. (KM) (Entered: 10/31/2011)
11/01/2011	<u>20</u>	ORDER granting Joint Ore Tenus Motion to Consolidate Cases. Signed by Magistrate Judge Michael T. Parker on November 1, 2011. (KM) (Entered: 11/01/2011)
11/01/2011	21	Ore Tenus MOTION to Amend Case Management Order by Veronica Cook, Charlyn Dozier, Seleatha McGee, Yolanda Phelps. (KM) (Entered: 11/01/2011)
11/01/2011	<u>22</u>	<b>**DISREGARD THIS ENTRY**IT HAS BEEN REPLACED BY ORDER <u>23</u></b> <b>**ORDER granting 21 Ore Tenus Motion to Amend Case Management Order. Signed by Magistrate Judge Michael T. Parker on November 1, 2011. (KM) Modified on 11/1/2011 (mbs). (Entered: 11/01/2011)</b>
11/01/2011	<u>23</u>	Amended ORDER granting 21 Ore Tenus MOTION to Amend Case Management Order filed by Yolanda Phelps, Seleatha McGee, Charlyn Dozier, Veronica Cook. Signed by Magistrate Judge Michael T. Parker on November 1, 2011. (KM) (Entered: 11/01/2011)
11/01/2011		DOCKET ANNOTATION as to Doc. <u>22</u> : The Court has entered an Amended Order <u>23</u> , which amends and replaces Order <u>22</u> . Order <u>22</u> should be disregarded. (mbs) (Entered: 11/01/2011)
11/07/2011	<u>24</u>	ORDER granting Joint Ore Tenus Motion for Protective Order. Signed by Magistrate Judge Michael T. Parker on November 7, 2011. (KM) (Entered: 11/07/2011)
11/09/2011	<u>25</u>	NOTICE of Service of <i>Plaintiffs' First</i> Request for Production by Veronica Cook, Charlyn Dozier, Seleatha McGee, Yolanda Phelps (Johnson, J.) (Entered: 11/09/2011)
11/11/2011	<u>26</u>	NOTICE of Service of Request for Production by Howard Industries, Inc. (Yoder, Richard) (Entered: 11/11/2011)
12/16/2011	<u>27</u>	Joint MOTION to Extend Class Discovery Deadline by Howard Industries, Inc. (Yoder, Richard) (Entered: 12/16/2011)
12/16/2011	<u>28</u>	ORDER granting <u>27</u> Motion to Extend Deadlines. Signed by Magistrate Judge Michael T. Parker on December 16, 2011. (KM) (Entered: 12/16/2011)
02/09/2012		Minute Entry for proceedings held before Magistrate Judge Michael T. Parker: Telephonic Status Conference held on 2/9/2012. The parties discussed the status of the case and reported that a tentative settlement has been reached. No action is requested at this time. The parties anticipate submitting an appropriate motion for settlement approval in the near future. Clifton Johnson for plaintiffs; Richard Yoder for defendant. (KPM) (Entered: 02/09/2012)
08/17/2012	<u>29</u>	MOTION to Certify Class <i>and for Preliminary Approval of Class Action Settlement</i> by Veronica Cook, Charlyn Dozier, Seleatha McGee, Yolanda Phelps Responses due by 9/28/2012 (Attachments: # <u>1</u> Exhibit 1 – Proposed Order, # <u>2</u> Exhibit 2 – Settlement Agreement, # <u>3</u> Exhibit 2A – Bargaining Unit Positions, # <u>4</u> Exhibit 3 – Class Notice, # <u>5</u> Exhibit 4 – Publication Notice, # <u>6</u> Exhibit 5 – Verification Form, # <u>7</u> Exhibit 6 – Trust Agreement)(Johnson, J.) (Entered: 08/17/2012)
08/17/2012	<u>30</u>	MEMORANDUM in Support re <u>29</u> MOTION to Certify Class <i>and for Preliminary Approval of Class Action Settlement</i> filed by Veronica Cook, Charlyn Dozier, Seleatha McGee, Yolanda Phelps (Attachments: # <u>1</u> Exhibit A – Proposed Schedule for Class Settlement)(Johnson, J.) (Entered: 08/17/2012)

09/18/2012	<u>31</u>	NOTICE ( <i>Joint Clarifying Class Action Settlement Agreement</i> ) by Veronica Cook, Charlyn Dozier, Seleatha McGee, Yolanda Phelps (Attachments: # <u>1</u> Exhibit A – Stipulation and Class Action Settlement Agreement)(Johnson, J.) (Entered: 09/18/2012)
09/26/2012	<u>32</u>	MEMORANDUM in Support re <u>29</u> MOTION to Certify Class <i>and for Preliminary Approval of Class Action Settlement (Supplemental)</i> filed by Veronica Cook, Charlyn Dozier, Seleatha McGee, Yolanda Phelps (Johnson, J.) (Entered: 09/26/2012)
09/26/2012	<u>33</u>	MOTION for Jay T. Jorgensen to Appear Pro Hac Vice by Howard Industries, Inc. (Attachments: # <u>1</u> Certificate of Good Standing)(Yoder, Richard) (Entered: 09/26/2012)
09/26/2012		TEXT ONLY ORDER granting <u>33</u> Motion to Appear Pro Hac Vice. Jay T. Jorgensen is hereby admitted pro hac vice upon payment of the pro hac admission fee and registering for electronic filing. No further written order will issue. Signed by Magistrate Judge Michael T. Parker on September 26, 2012 (KPM) (Entered: 09/26/2012)
10/01/2012		Pro Hac Vice fee paid by Jay T. Jorgensen \$ 100, receipt number 34643018141 (mbs) (Entered: 10/01/2012)
10/05/2012	<u>34</u>	ORDER granting <u>29</u> Motion to Certify Class. Signed by District Judge Keith Starrett on October 5, 2012. (DM) (Entered: 10/05/2012)
10/30/2012	<u>35</u>	NOTICE of Change of Address by Richard L. Yoder (Yoder, Richard) (Entered: 10/30/2012)
10/31/2012		TEXT ONLY ORDER SETTING FINAL FAIRNESS HEARING. As per Order (Dkt. #34) entered October 5, 2012, a Final Fairness Hearing has been set in this case for Wednesday, January 23, 2013, at 10:00 A.M., Colmer Federal Building, Courtroom 1, Hattiesburg, before U.S. District Judge Keith Starrett. NO FURTHER WRITTEN ORDER SHALL ISSUE. Signed by District Judge Keith Starrett on October 31, 2012 (dsl) (Entered: 10/31/2012)
11/16/2012	<u>36</u>	MOTION to Withdraw as Attorney by Howard Industries, Inc. (Attachments: # <u>1</u> Exhibit Proposed Order on Motion to Withdraw Appearance)(Yoder, Richard) (Entered: 11/16/2012)
11/16/2012		TEXT ONLY ORDER granting <u>36</u> Motion to Withdraw as Attorney. Attorney Jay T. Jorgensen – PHV terminated. No further written order will issue. Signed by Magistrate Judge Michael T. Parker on November 16, 2012. (Parker, Michael) (Entered: 11/16/2012)
11/19/2012		DOCKET ANNOTATION as to Doc. <u>36</u> : Proposed orders are not to be electronically filed as a separate pleading or as an attachment to a pleading, but instead are to be provided to chambers by e-mail (Court's Administrative Procedures for Electronic Case Filing Sec.5.B.). Attorney is directed to follow this procedure in future filings. (Entered: 11/19/2012)
12/21/2012	<u>37</u>	MOTION for Attorney Fees <i>and Cost Reimbursement</i> by Veronica Cook, Charlyn Dozier, Seleatha McGee, Yolanda Phelps (Attachments: # <u>1</u> Exhibit A – Declaration of Lisa Ross, # <u>2</u> Exhibit B – Declaration of Cliff Johnson, # <u>3</u> Exhibit C – An Empirical Study of Class Action Settlements & Their Fee Awards)(Johnson, J.) (Entered: 12/21/2012)
12/21/2012	<u>38</u>	Joint MOTION for Settlement ( <i>Final Approval of Class Action Settlement</i> ) by Veronica Cook, Charlyn Dozier, Seleatha McGee, Yolanda Phelps (Johnson, J.) (Entered: 12/21/2012)
12/21/2012	<u>39</u>	MEMORANDUM in Support re <u>38</u> Joint MOTION for Settlement ( <i>Final Approval of Class Action Settlement</i> ) <i>and Entry of Judgment of Dismissal</i> filed by Veronica Cook, Charlyn Dozier, Seleatha McGee, Yolanda Phelps (Johnson, J.) (Entered: 12/21/2012)
12/21/2012	<u>40</u>	NOTICE of <i>In Camera Submission in Support</i> by Veronica Cook, Charlyn Dozier, Seleatha McGee, Yolanda Phelps re <u>37</u> MOTION for Attorney Fees <i>and Cost Reimbursement</i> (Johnson, J.) (Entered: 12/21/2012)

12/21/2012	<u>41</u>	MOTION for Attorney Fees <i>and Cost Reimbursement</i> by Veronica Cook, Charlyn Dozier, Seleatha McGee, Yolanda Phelps (Johnson, J.) (Entered: 12/21/2012)
12/21/2012	<u>42</u>	MEMORANDUM in Support re <u>41</u> MOTION for Attorney Fees <i>and Cost Reimbursement</i> filed by Veronica Cook, Charlyn Dozier, Seleatha McGee, Yolanda Phelps (Attachments: # <u>1</u> Exhibit A – Declaration of Lisa Ross, # <u>2</u> Exhibit B – Declaration of Cliff Johnson, # <u>3</u> Exhibit C – An Empirical Study of Class Action Settlements & Their Fee Awards)(Johnson, J.) (Entered: 12/21/2012)
01/04/2013	<u>43</u>	ORDER CONSOLIDATING: The Clerk of this Court is directed to consolidate Case No. 2:12cv205–KS–MTP, Chiana CA Perkins v. Howard Industries, with Case No. 2:11cv41–KS–MTP, Veronica Cook, et al vs. Howard Industries, Inc., and to add Chiana Perkins, whose address is Post Office Box 1362, Taylorsville, Mississippi 39168, as a pro se plaintiff to be notified of all future filings. Said cases are consolidated as to the class action issues and the class established in Case No. 2:11cv41–KS–MTP only. Any further filings by Ms. Perkins addressing class settlement or subclass certification relating to the Cook case shall be filed only in Case No. 2:11cv41–KS–MTP. Signed by District Judge Keith Starrett on January 4, 2013. (DM) (Entered: 01/04/2013)
01/10/2013	<u>44</u>	MOTION for Cara Viglucci Lopez to Appear Pro Hac Vice by Howard Industries, Inc. (ALJ) (Additional attachment(s) added on 1/10/2013: # <u>1</u> Exhibit Certificate) (ALJ). (Entered: 01/10/2013)
01/10/2013		Pro Hac Vice fee paid by (Cara Viglucci Lopez) \$ 100, receipt number 34643019706 (ALJ) (Entered: 01/10/2013)
01/11/2013		TEXT ONLY ORDER granting <u>44</u> Motion to Appear Pro Hac Vice. Cara Viglucci Lopez is hereby admitted pro hac vice upon registering for electronic filing. No further written order will issue. Signed by Magistrate Judge Michael T. Parker on January 11, 2013 (KPM) (Entered: 01/11/2013)
01/15/2013	<u>45</u>	NOTICE of Filing Proof of Publication by Howard Industries, Inc. (Attachments: # <u>1</u> Exhibit Proof of Publication)(Yoder, Richard) (Entered: 01/15/2013)
01/23/2013		Minute Entry for proceedings held before District Judge Keith Starrett: A Final Fairness Hearing was held on January 23, 2013. Counsel for the parties presented oral argument, as well as one exhibit. After considering same, the Court requested briefing on several issues. Counsel shall submit their briefs within two weeks from date, making same due on or before February 6, 2013. After review of the briefs the Court will issue a written order. PARTICIPANTS: J. Clifton Johnson, II on behalf of Plaintiffs; Richard L. Yoder, Lew Yoder, and Gordon D. Todd on behalf of Defendant. (Court Reporter Fred Jeske 601–583–4383) (dsl) (Entered: 01/23/2013)
01/23/2013	<u>46</u>	Exhibit List from Final Fairness Hearing held January 23, 2013. (dsl) (Entered: 01/23/2013)
02/06/2013	<u>48</u>	MEMORANDUM IN SUPPORT re <u>38</u> Joint MOTION for Settlement ( <i>Final Approval of Class Action Settlement</i> ) filed by Howard Industries, Inc. (Yoder, Richard) (Entered: 02/06/2013)
02/07/2013		DOCKET ANNOTATION as to Document [#48]: This document is not accompanied by a certificate of service. A certificate of service must be attached to a document [Administrative Procedures for Electronic Case Filing, Sec. 4.A.1, Sec. 4.B, and Fed.R.Civ.P. Rule 5(d)(1)]. Attorney is directed to file a certificate as CERTIFICATE OF SERVICE and link it to the proper document (DM) (Entered: 02/07/2013)
02/07/2013	<u>49</u>	MEMORANDUM in Support re <u>38</u> Joint MOTION for Settlement ( <i>Final Approval of Class Action Settlement</i> ) filed by Howard Industries, Inc. (Yoder, Richard) (Entered: 02/07/2013)
03/11/2013	<u>50</u>	ORDER granting Joint <u>38</u> Motion for Final Approval of Class Action Settlement and Motion for Award of Attorney's Fees and Cost Reimbursement. Signed by District Judge Keith Starrett on March 11, 2013 (dsl) (Entered: 03/11/2013)

03/11/2013	<u>51</u>	JUDGMENT, This action is dismissed with prejudice. Signed by District Judge Keith Starrett on 3/11/2013 (ALJ) (Entered: 03/11/2013)
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