

CLOSED, JURY, MAG, OPTOUT, PRETRIED

**U.S. District Court
Southern District of Alabama (Mobile)
CIVIL DOCKET FOR CASE #: 1:96-cv-00922-C-C**

Church of Zion v. Southtrust Bank, et al
Assigned to: Mag. Judge William E. Cassady
Referred to: Mag. Judge William E. Cassady
Demand: \$0
Cause: 15:1601 Truth in Lending

Date Filed: 09/20/1996
Date Terminated: 09/16/1997
Jury Demand: Plaintiff
Nature of Suit: 430 Banks and Banking
Jurisdiction: Federal Question

Plaintiff

Church of Zion Christian Center, Inc.

represented by **Willie J. Huntley, Jr.**
Huntley Law Firm
P.O. Box 370
Mobile, AL 36601-0370
(334) 434-0007
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Southtrust Bank

represented by **D. Charles Holtz**
Fernandez, Holtz & Combs, L.L.C
P. O. Box 162
Mobile, AL 36601-0162
251-433-0738
Email: dch@bowronlatta.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Rick Chastain
also known as
Rick Chestian

represented by **D. Charles Holtz**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Erby Long
also known as
Irby Long

represented by **D. Charles Holtz**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/20/1996		**Originally a Judge Thomas Case (clr) (Entered: 09/23/1996)
09/20/1996	1	COMPLAINT filed; FILING FEE \$ 120.00 RECEIPT # 17796 (clr) (Entered: 09/23/1996)
09/23/1996	2	SUMMONS(ES) issued for Southtrust Bank, Rick Chestian, Irby Long, atty notified by phone and place in envelope (clr) (Entered: 09/23/1996)
09/23/1996	3	SERVICE ORDER entered 9/23/96. Deadline set for 11/7/96 for Irby Long, for Rick Chestian, for Southtrust Bank . Plaintiff to notify the Court the action taken to effect service and the results thereof. (clr) (Entered: 09/23/1996)
09/30/1996	4	RETURN OF SERVICE executed as to Southtrust Bank, Rick Chestian, Irby Long 9/27/96 by certified mail. Answer due on 10/17/96 for Irby Long, for Rick Chestian, for Southtrust Bank (clr) (Entered: 10/01/1996)
10/07/1996	5	Notice of Assignment to Mag. Judge William E. Cassady for trial. Copy mailed 10/7/96 (clr) (Entered: 10/07/1996)
10/17/1996	6	ANSWER to Complaint by Southtrust Bank (Attorney D. Charles Holtz), (eec) (Entered: 10/18/1996)
10/17/1996	7	ANSWER to Complaint by Rick Chestian (Attorney D. Charles Holtz), (eec) (Entered: 10/18/1996)
10/17/1996	8	ANSWER to Complaint by Irby Long (Attorney D. Charles Holtz), (eec) (Entered: 10/18/1996)
10/18/1996	9	PRELIMINARY SCHEDULING ORDER entered by Mag. Judge William E. Cassady Report of Parties Planning Meeting due 12/2/96 ; (eec) (Entered: 10/18/1996)
12/03/1996	10	AMENDED ANSWER to Complaint by Southtrust Bank : amends [6-1] answer (by correcting the style to reflect the proper court) (sld) (Entered: 12/04/1996)
12/03/1996	11	AMENDED ANSWER to Complaint by Rick Chastain : amends [7-1] answer (by correcting the style to reflect the proper court) (sld) (Entered: 12/04/1996)
12/03/1996	12	AMENDED ANSWER to Complaint by Erby Long : amends [8-1] answer (by correcting the style to reflect the proper court) (sld) (Entered: 12/04/1996)
12/04/1996	13	REPORT of Planning Meeting filed by parties. (eec) (Entered: 12/04/1996)
12/04/1996	14	First Amendment to Report of Parties' Planning Meeting, correcting the style to reflect the proper court (eec) (Entered: 12/04/1996)
01/03/1997	15	SCHEDULING ORDER setting before Mag. Judge William E. Cassady (signed by Mag. Judge William E. Cassady) Copies mailed 1/6/97 (eec) (Entered: 01/06/1997)
01/13/1997	16	MOTION by Southtrust Bank, Rick Chastain, Erby Long to Compel Initial Disclosures Ref. to J/Cassady 1-14-97 (eec) (Entered: 01/14/1997)

01/22/1997	17	ORDER, [16-1] motion to Compel Initial Disclosures set to be TUS on 2/3/97 (signed by Mag. Judge William E. Cassady) Copies mailed 1/22/97 (eec) (Entered: 01/22/1997)
02/14/1997	18	MOTION by Southtrust Bank, Rick Chastain, Erby Long to Dismiss Pursuant to Rule 37(b)(2)(C) Ref. to J/Cassady 2-18-97 (eec) (Entered: 02/18/1997)
02/21/1997	19	ORDER, [18-1] motion to Dismiss Pursuant to Rule 37(b)(2)(C) set to be TUS on 2/28/97 , Motion Hearing set for 2:00 3/7/97 for [18-1] motion to Dismiss Pursuant to Rule 37(b)(2)(C) (signed by Mag. Judge William E. Cassady) Copies mailed 2-25-97 (eec) (Entered: 02/25/1997)
02/21/1997	20	ORDER granting [16-1] motion to Compel Initial Disclosure, IN ITS ENTIRETY (signed by Mag. Judge William E. Cassady) Plaintiffs shall make initial disclosures not later than ten days after receipt of this order. Plaintiffs are ORDERED to pay, within ten days of receipt of this order, the amount of \$150.00 directly to counsel for the defendants as a reasonable attorney's fee for having violated the Court's Scheduling Order and for forcing counsel for the defendants to have to seek court action. Copies mailed 2-25-97 (eec) (Entered: 02/25/1997)
02/28/1997	21	MOTION by Church of Zion in opposition to [18-1] motion to Dismiss Pursuant to Rule 37(b)(2)(C) Ref. to J/Cassady 3-3-97 (eec) (Entered: 03/03/1997)
02/28/1997	22	MOTION by Church of Zion for Reconsideration of [17-1] order [16-1] motion to Compel Initial Disclosures set to be TUS on 2/3/97 Ref. to J/Cassady 3-3-97 (eec) (Entered: 03/03/1997)
03/04/1997	23	MOTION by Southtrust Bank, Rick Chastain to Eliminate or Limit Plaintiff's Potential Compensatory Damages Ref. to J/Cassady 3-5-97 (eec) (Entered: 03/05/1997)
05/28/1997	24	MOTION by Church of Zion to Continue Discovery Deadline Ref. to J/Cassady 5-30-97 (eec) (Entered: 05/30/1997)
06/02/1997	25	LIMITED OBJECTION by Southtrust Bank, Rick Chastain, Erby Long to [24-1] motion to Continue Discovery Deadline Ref. to J/Cassady 6-5-97 (eec) (Entered: 06/05/1997)
06/06/1997	26	MOTION by Southtrust Bank, Rick Chastain, Erby Long for Protective Order ref. to Judge Cassady (with proposed Order) (cmj) (Entered: 06/06/1997)
06/06/1997		Motion for Protective Order walked up by atty. 6/6/97 (cmj) (Entered: 06/06/1997)
06/06/1997	27	ORDER granting [26-1] motion for Protective Order (signed by Mag. Judge William E. Cassady) Copies mailed 6-9-97 (eec) (Entered: 06/09/1997)
06/06/1997	28	ORDER granting in part, denying in part [24-1] motion to Continue Discovery Deadline, reset Discovery deadline to 6/12/97 for the limited discovery purposes identified in the objection filed by the defendants on June 2, 1997. The motion for an extension of the discovery period is OTHERWISE DENIED (signed by Mag. Judge William E. Cassady) Copies mailed 6-9-97 (eec) (Entered: 06/09/1997)

06/09/1997	29	MOTION by Southtrust Bank, Rick Chastain, Erby Long for Partial Summary Judgment Ref. to J/Cassady 6-10-97 (eec) (Entered: 06/10/1997)
06/09/1997	30	BRIEF by defendant Southtrust Bank, defendant Rick Chastain, defendant Erby Long in re: [29-1] motion for Partial Summary Judgment Ref. to J/Cassady 6-10-97 (eec) (Entered: 06/10/1997)
06/09/1997		SUGGESTED DETERMINATIONS OF UNDISPUTED FACTS AND CONCLUSIONS OF LAW by Southtrust Bank, Rick Chastain, Erby Long (eec) (Entered: 06/10/1997)
06/09/1997	31	NOTICE of Filing Exhibits in Support of Defendants' Motion for Partial Summary Judgment by Southtrust Bank, Rick Chastain, Erby Long (original in Red File Folder) (eec) (Entered: 06/10/1997)
06/12/1997	32	ORDER, Response to Motion set to 6/25/97 for [29-1] motion for Partial Summary Judgment , [29-1] motion for Partial Summary Judgment set to be TUS on 6/25/97 (signed 6/11/97 by Mag. Judge William E. Cassady) Copies mailed 6-12-97 (eec) (Entered: 06/12/1997)
06/13/1997		Proposed pre-trial order received from Church of Zion, Southtrust Bank, Rick Chastain, Erby Long (eec) (Entered: 06/16/1997)
06/23/1997	33	NOTICE of Filing Affidavit in Support of Attorney's Fee by Southtrust Bank, Rick Chastain, Erby Long (eec) (Entered: 06/23/1997)
06/26/1997		Pre-trial conference held Tape/Scanner: Chambers Tape (eec) (Entered: 06/27/1997)
06/26/1997	34	PRETRIAL ORDER (ADOPTED) entered., set Jury Selection for 8:45 8/7/97 , set Jury Trial for 8:45 8/7/97 before Mag. Judge William E. Cassady , Response to Motion [29-1] motion for Partial Summary Judgment 6-27-97 (signed by Mag. Judge William E. Cassady) Copies mailed 6-27-97 (eec) (Entered: 06/27/1997)
06/27/1997	35	BRIEF in Opposition by plaintiff Church of Zion in re: [29-1] motion for Partial Summary Judgment Ref. to J/Cassady 6-30-97 (eec) (Entered: 06/30/1997)
06/27/1997	36	NOTICE of Filing Exhibits in Opposition to Defendants' Motion for Partial Summary by Church of Zion (See Exhibits in Red Folder) (eec) (Entered: 06/30/1997)
07/07/1997	37	Reply Brief by defendant Southtrust Bank, defendant Rick Chastain, defendant Erby Long in support of [29-1] motion for Partial Summary Judgment (eec) (Entered: 07/08/1997)
07/08/1997	38	CONSENT to trial by Magistrate by Church of Zion, Southtrust Bank, Rick Chastain, Erby Long ; Case assigned to Mag. Judge William E. Cassady (eec) (Entered: 07/10/1997)
07/09/1997	38	ORDER REFERRING CASE to Mag. Judge William E. Cassady (signed by Judge Richard W. Vollmer Jr.) (eec) (Entered: 07/10/1997)
07/14/1997	39	MOTION by Southtrust Bank, Rick Chastain, Erby Long to Quash Subpoena served on James Rainer, Jr. Ref. to J/Cassady 7-15-97 (eec) (Entered: 07/15/1997)

07/15/1997	40	ORDER, Response to Motion set to 7/28/97 for [39-1] motion to Quash Subpoena served on James Rainer, Jr. , [39-1] motion to Quash Subpoena served on James Rainer, Jr. set to be TUS on 7/28/97 (signed by Mag. Judge William E. Cassady) Copies mailed 7-15-97 (eec) (Entered: 07/15/1997)
07/23/1997	41	RESPONSE by Pltfs to [39-1] motion to Quash Subpoena served on James Rainer, Jr.; referred to Mag. Cassady (clr) (Entered: 07/24/1997)
07/25/1997	42	REPLY BRIEF of James M. Rainer, Jr. to Pltfs' response to [39-1] motion to Quash Subpoena; referred to Mag. Cassady (clr) (Entered: 07/28/1997)
07/30/1997	43	MEMORANDUM OPINION granting in part, denying in part [29-1] motion for Partial Summary Judgment (signed by Mag. Judge William E. Cassady) Copies mailed 7-31-97 (eec) Modified on 08/01/1997 (Entered: 08/01/1997)
07/30/1997	44	JUDGMENT entered that the plaintiffs shall have and recover nothing against the defendant Long and FURTHER that the claims of Nettles, Day and Simon are due to be and hereby are DISMISSED WITH PREJUDICE. The motion for partial summary judgment is otherwise DENIED (signed by Mag. Judge William E. Cassady); J/E # 6140 Judgment EOD: 8-1-97 Copies mailed 8-1-97 (eec) (Entered: 08/01/1997)
07/30/1997	45	NOTICE entered, endorsed motion granting [39-1] motion to Quash Subpoena served on James Rainer, Jr. (signed by Mag. Judge William E. Cassady) Copies mailed 8-1-97 (eec) (Entered: 08/01/1997)
09/12/1997	46	STIPULATION of dismissal with prejudice filed. Ref. to J/Cassady 9-15-97 (eec) (Entered: 09/15/1997)
09/16/1997	47	ORDER entered, pursuant to the stipulation for dismissal with prejudice filed by all parties on September 12, 1997 (Doc. 46), that this action is DISMISSED WITH PREJUDICE (signed 9-15-97 by Mag. Judge William E. Cassady) Copies mailed 9-16-97 (eec) (Entered: 09/16/1997)
09/16/1997		Case closed (eec) (Entered: 09/16/1997)

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