

Gressett v. Spring Hill Suites By Marriott (4:16-cv-00740)

District Court, S.D. Texas

Last Updated: March 16, 2021, 12:15 p.m. CDT

Assigned To: Lee Hyman Rosenthal (/person/2783/lee-hyman-rosenthal/)

Date Filed: March 21, 2016

Date Terminated: Aug. 13, 2018

Cause: 28:1332 Diversity-(Citizenship) (/?type=r&cause="28:1332 Diversity-(Citizenship)")

Nature of Suit: 360 P.I.: Other (/?type=r&nature_of_suit="360 P.I.: Other")

Jury Demand: Defendant (/?type=r&q=juryDemand:"Defendant")

Jurisdiction Type: Diversity

- Docket Entries (/docket/7651302/gressett-v-spring-hill-suites-by-marriott/)
- Parties and Attorneys (/docket/7651302/parties/gressett-v-spring-hill-suites-by-marriott/)
- FJC Integrated Database (/docket/7651302/idb/gressett-v-spring-hill-suites-by-marriott/)

Filed

to

Documents

to

	Date Filed	Description
1	Mar 21, 2016	COMPLAINT against Any Unidentified Defendant Employees, Concord Hospitality Enterprises Company, Concord Hospitality Inc, Moody National Companies LP, Spring Hill Suites By Marriott (Filing fee \$ 400) filed by Bam Gressett, Andrew Gressett. (Attachments: # 1 Civil Cover Sheet)(bdaniel, 4) (Entered: 03/21/2016)
		Main Doc (/docket/7651302/1/gressett-v-spring-hill-

suites-by-marriott/)

Att 1 Civil Cover Sheet

- 2 Mar 22, 2016 ORDER Scheduling Rule 16 Conference With the Court and Setting Out the Requirements for Initial Pretrial Work. Initial Conference set for 5/31/2016 at 02:00 PM in Courtroom 11B before Judge Lee H Rosenthal(Signed by Judge Lee H Rosenthal) (Attachments: # 1 Judge's Procedure) Parties notified.(ckrus, 4) (Entered: 03/22/2016)
- Main Doc
- 3 May 17, 2016 NOTICE of Resetting. Parties notified. Initial Conference reset for 8/26/2016 at 10:00 AM in Courtroom 11B before Judge Lee H Rosenthal, filed. NOTE: Reset is based on the need for additional time to effect service and for plaintiffs counsel to make a formal appearance. (leddins, 4) (Entered: 05/17/2016)
- Main Doc
- 4 Jun 14, 2016 MOTION for Extension of Time to Complete Service of Process upon Defendants by Andrew Gressett, Bam Gressett, filed. Motion Docket Date 7/5/2016. (Attachments: # 1 Proposed Order)(dnoriega, 1) (Entered: 06/15/2016)
- Main Doc
- 5 Jun 14, 2016 MEMORANDUM in Support re: 4 MOTION for Extension of Time to Complete Service of Process upon Defendants by Andrew Gressett, Bam Gressett, filed. (dnoriega, 1) (Entered: 06/15/2016)
- Main Doc
- 6 Jun 20, 2016 ORDER Granting 4 MOTION for Extension of Time to Complete Service of Process upon Defendants. Plaintiff's Granted additional 60 days from current deadline of June 19, 2016, or until August 22, 2016 to complete service of process. (Joint Discovery/Case Management Plan due by 10/21/2016., Initial Pretrial Conference set for 11/4/2016 at 08:30 AM in Courtroom 11B before Judge Lee H Rosenthal) (Signed by Judge Lee H Rosenthal) Parties notified.(jguajardo, 4) (Entered: 06/21/2016)
- Main Doc
- Aug 17, 2016 ***Set/Reset Deadlines/Hearings: Initial Conference reset for 11/4/2016 at 08:30 AM in Courtroom 11B before Judge Lee H Rosenthal (leddins, 4)
- 7 Aug 24, 2016 RETURN of Service of SUMMONS Executed as to Spring Hill Suites By Marriott served on 8/12/2016, answer due 9/2/2016, filed.(fcarbia, 2) (Entered: 08/25/2016)
- Main Doc
- 8 Aug 24, 2016 RETURN of Service of SUMMONS Executed as to Concord Hospitality Inc served on 8/10/2016, answer due 8/31/2016, filed.(fcarbia, 2) (Entered: 08/25/2016)
- Main Doc
- 9 Aug 24, 2016 RETURN of Service of SUMMONS Executed as to Moody National Companies LP served on 8/15/2016, answer due 9/6/2016, filed.(dmorales, 5) (Entered: 08/25/2016)
- Main Doc
- 10 Sep 9, 2016 NOTICE of Resetting. Parties notified. Initial Conference reset for 11/17/2016 at 03:00 PM in Courtroom 11B before Judge Lee H Rosenthal, filed. (leddins, 4) (Entered: 09/09/2016)
- Main Doc

- 11 Sep 30, 2016 WAIVER OF SERVICE Returned Executed as to Concord Hospitality Enterprises Company served on 8/6/2016, answer due 10/5/2016; Concord Hospitality Inc served on 8/6/2016, answer due 10/5/2016; Moody National Companies LP served on 8/6/2016, answer due 10/5/2016; Spring Hill Suites By Marriott served on 8/6/2016, answer due 10/5/2016, filed.(Shaw, Jay) (Entered: 09/30/2016)
- Main Doc
- 12 Oct 5, 2016 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM and Original Answer by Spring Hill Suites By Marriott, filed. Motion Docket Date 10/26/2016. (Shaw, Jay) (Entered: 10/05/2016)
- Main Doc
- 13 Oct 5, 2016 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM and Answer by Moody National Companies LP, filed. Motion Docket Date 10/26/2016. (Shaw, Jay) (Entered: 10/05/2016)
- Main Doc
- 14 Oct 5, 2016 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM and Answer by Concord Hospitality Inc, filed. Motion Docket Date 10/26/2016. (Shaw, Jay) (Entered: 10/05/2016)
- Main Doc
- 15 Oct 5, 2016 ANSWER to 1 Complaint, with jury demand by Concord Hospitality Enterprises Company, filed.(Shaw, Jay) (Entered: 10/05/2016)
- Main Doc
- 16 Nov 8, 2016 NOTICE of Resetting. Parties notified. Initial Conference set for 11/17/16 is reset to 12/1/2016 at 03:30 PM in Courtroom 11B before Judge Lee H Rosenthal, filed. (leddins, 4) (Entered: 11/08/2016)
- Main Doc
- 17 Nov 21, 2016 NOTICE of Resetting. Parties notified. Initial Conference set for 12/1/16 is reset to 12/7/2016 at 02:00 PM in Courtroom 11B before Chief Judge Lee H Rosenthal, filed. NOTE: Reset is based on this court's trial docket. (leddins, 4) (Entered: 11/21/2016)
- Main Doc
- 18 Dec 6, 2016 CERTIFICATE OF INTERESTED PARTIES by Concord Hospitality Enterprises Company, Concord Hospitality Inc, Moody National Companies LP, Spring Hill Suites By Marriott, filed.(Shaw, Jay) (Entered: 12/06/2016)
- Main Doc
- 19 Dec 6, 2016 JOINT DISCOVERY/CASE MANAGEMENT PLAN by Concord Hospitality Enterprises Company, Concord Hospitality Inc, Moody National Companies LP, Spring Hill Suites By Marriott, filed.(Shaw, Jay) (Entered: 12/06/2016)
- Main Doc
- 20 Dec 7, 2016 SCHEDULING AND DOCKET CONTROL ORDER. Pltf Expert Report due by 1/13/2017. Deft Expert Report due by 3/3/2017. Mediation due by 3/17/2017. Discovery due by 6/3/2017. Joint Pretrial Order due by 7/1/2017. Docket Call set for 7/11/2017 at 02:00 PM in Courtroom 11B before Chief Judge Lee H Rosenthal. (Signed by Chief Judge Lee H Rosenthal) Parties notified. (rosaldana, 4) (Entered: 12/08/2016)
- Main Doc
- 21 Dec 7, 2016

Minute entry for proceedings before the Hon. Lee H. Rosenthal. Initial conference held on Dec. 7, 2016. After discussion with plaintiff's counsel and defense counsel, the court granted Docket Entries No. 12, 13, and 14, thereby dismissing Spring Hill Suites by Marriott, Moody National Companies LP, and Concord Hospitality, Inc. from the case. The dismissal is without prejudice until the close of discovery. The plaintiff's oral motion for leave to amend the complaint to add the correct Moody's entity that owned the hotel is granted. The amended complaint must be filed by December 23, 2016. The court discussed case scheduling with counsel, and set deadlines. The scheduling order will be entered separately. Appearances: Dominic Varrecchio (by phone) for Pltfs. and Lori Pritchitt for Defts. (Court Reporter: B. Slavin), filed. (leddins, 4) (Entered: 12/12/2016)

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| 22 | Dec 23, 2016 | FIRST SUPPLEMENTAL AND AMENDING COMPLAINT AND PETITION FOR DAMAGES to 1 Complaint, by Andrew Gressett, Bam Gressett, filed. (ssilva, 7) (Entered: 12/30/2016)

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(/docket/7651302/22/gressett-v-spring-hill-suites-by-marriott/) |
| 23 | May 24, 2017 | NOTICE of Resetting. Parties notified. Docket Call reset for 7/18/2017 at 02:00 PM in Courtroom 11B before Chief Judge Lee H Rosenthal, filed. (leddins, 4) (Entered: 05/24/2017)

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| 24 | Jul 5, 2017 | NOTICE of Resetting. Parties notified. Docket Call reset for 7/20/2017 at 03:00 PM in Courtroom 11B before Chief Judge Lee H Rosenthal, filed. (leddins, 4) (Entered: 07/05/2017)

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| 25 | Jul 11, 2017 | DESIGNATION of Frank D. Lanter as attorney in charge of Spring Hill Suites By Marriott, filed. (Lanter, Frank) (Entered: 07/11/2017)

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| 26 | Jul 17, 2017 | NOTICE of Resetting. Parties notified. Docket Call reset for 8/30/2017 at 09:00 AM in Courtroom 11B before Chief Judge Lee H Rosenthal, filed. (leddins, 4) (Entered: 07/17/2017)

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| 27 | Aug 24, 2017 | AMENDED SCHEDULING AND DOCKET CONTROL ORDER entered. Pltf Expert Report due by 11/3/2017. Deft Expert Report due by 12/8/2017. Discovery due by 1/26/2018. Mediation due by 1/12/2018. Joint Pretrial Order due by 2/16/2018. Docket Call set for 2/23/2018 at 02:00 PM in Courtroom 11B before Chief Judge Lee H Rosenthal. (Signed by Chief Judge Lee H Rosenthal) Parties notified. (wbostic, 4) (Entered: 08/25/2017)

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| 28 | Jan 19, 2018 | MOTION for Extension of Time Plaintiff council's poor health by Andrew Gressett, filed. Motion Docket Date 2/9/2018. (Offner, Kurt) (Entered: 01/19/2018)

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| 29 | Jan 22, 2018 | AMEDED SCHEDULING ORDER entered: GRANTING 28 MOTION for Extension of Time Plaintiff council's poor health. Deadlines amended as follows: Discovery due by 4/13/2018., Mediation due by 3/30/2018, Joint Pretrial Order due by 4/30/2018, |

Docket Call reset for 4/27/2018 at 02:00 PM in Courtroom 11B before Chief Judge Lee H Rosenthal. (Signed by Chief Judge Lee H Rosenthal) Parties notified. (leddins, 4) (Entered: 01/22/2018)

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30 Mar 2, 2018 INITIAL DISCLOSURES by Spring Hill Suites By Marriott, filed. (Attachments: # 1 Exhibit Exhibit)(Lanter, Frank) (Entered: 03/02/2018)

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31 Apr 20, 2018 Joint Proposed Pretrial Order by Andrew Gressett (Attachments: # 1 Exhibit Jury Instructions)(Offner, Kurt) (Entered: 04/20/2018)

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32 Apr 23, 2018 Amended Proposed Pretrial Order by Andrew Gressett (Attachments: # 1 Supplement)(Offner, Kurt) (Entered: 04/23/2018)

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33 Apr 27, 2018 Minute entry for proceedings before the Hon. Lee H. Rosenthal. Docket call held on April 27, 2018. The parties updated the court on the status of the case. The joint pretrial order and exhibits are due August 10, 2018; the final pretrial conference is set for August 17, 2018, at 3:00 p.m.; and jury selection will begin on August 27, 2018 at 9:00 a.m. Appearances: Kurt Offner(by phone) for Pltfs. and Frank Lanter for Deft.(Court Reporter: J. Sanchez), filed.(leddins, 4) (Entered: 04/27/2018)

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34 Aug 13, 2018 ORDER OF DISMISSAL entered based on settlement notification. Case terminated on 8/13/18. Deadline to reinstate: within 60 days from the date of this order. (Signed by Chief Judge Lee H Rosenthal) Parties notified.(leddins, 4) (Entered: 08/13/2018)

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Dismissal-FORM

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