

**Court:** US COURT OF APPEALS FOR THE NINTH CIRCUIT

**Case Title:** MAURIZIO ANTONINETTI v. CHIPOTLE MEXICAN GRILL, INC., ET AL

**Appeal From:** U.S. DISTRICT COURT FOR SOUTHERN CALIFORNIA, SAN DIEGO

**Date Filed:** 03/05/2009

**CASE INFORMATION**

**Case Number:** 09-55327

**Fee Status:** PAID

**Case Type:** APPEALS

**Case Subtype:** CIVIL

PRIVATE

**Nature of Suit:** 3440 OTHER CIVIL RIGHTS

**Key Nature of Suit:** APPEALS (030)

**LOWER COURT INFORMATION**

**District:** 0974-3

**Lower Court Docket Number:** 3:05-CV-01660-J-WMC

**Trial Judge(s):** NAPOLEON A. JONES, U.S. DISTRICT JUDGE

**Court Reporter(s):** JOAN KING

**Date Filed:** 08/22/2005

**Date Order/Judgment:** 02/06/2009

**Date NOA Filed:** 03/02/2009

**Date COA Received:** 03/05/2009

#### OTHER CASES

##### Current Case(s):

<b>Relationship:</b>	<b>Lead Docket:</b>	<b>Member Docket:</b>	<b>Start Date:</b>	<b>End Date:</b>
CONSOLIDATED POST-BR	08-55867	--	05/13/2009	--
CROSS-APPEAL	08-55867	--	06/11/2008	--
CROSS-APPEAL	09-55327	--	03/20/2009	--
RELATED	08-55867	--	03/20/2009	--
RELATED	08-55946	--	03/05/2009	--
RELATED	08-55946	--	03/20/2009	--

#### NAMES

**Name:** MAURIZIO ANTONINETTI

**Type:** PLAINTIFF - APPELLANT

**Attorney:** AMY BETH VANDEVELD

**Attorney Phone:** 619-231-8883

**Firm Name:** VANDEVELD LAW OFFICES

**Firm Address:** SUITE 22  
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**Name:** CHIPOTLE MEXICAN GRILL, INC.

**Type:** DEFENDANT - APPELLEE

**Attorney:** GREGORY FRANCIS HURLEY, ESQUIRE, SENIOR LITIGATION

**Attorney Phone:** 949-732-6500

**Firm Name:** LAW OFFICES OF GREENBERG TRAUIG, LLP

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IRVINE, CA 92612  
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**Attorney:** VIRGINIA E. ROBINSON  
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**Firm Name:** GREENBERG TRAUIG, LLP  
**Firm Address:** SUITE 1200  
 1750 TYSONS BLVD.  
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**Attorney:** JOHN FRANCIS SCALIA, ESQUIRE  
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**Firm Name:** GREENBERG TRAUIG, LLP  
**Firm Address:** STE. 1200  
 1750 TYSONS BLVD.  
 MCLEAN, VA 22102  
**Firm Phone:** 703-749-1380

**Name:** JOHN DOES, 1 THROUGH 10, INCLUSIVE  
**Type:** DEFENDANT - APPELLEE  
**Attorney:** NO APPEARANCE  
**Firm Name:** NO ADDRESS  
 NO, CITY

**DOCKET PROCEEDINGS**

<b>ENTRY #:</b>	<b>DATE:</b>	<b>DESCRIPTION:</b>
23	02/26/2010	NOTICE OF ORAL ARGUMENT ON APRIL CALENDAR. PLEASE RETURN ACKNOWLEDGMENT OF HEARING NOTICE FORM TO: PASADENA OFFICE. ATTENTION: THE NOTICE OF DOCKET ACTIVITY MAY NOT LIST YOUR CASE NUMBER. PLEASE OPEN ATTACHED DOCUMENTS TO VIEW DETAILS ABOUT YOUR CASE. [7245816] [08-55867, 08-55946, 09-55327, 09-55425] (LN)
22	10/15/2009	CASE REJECTED FROM CIRCUIT MEDIATION PROGRAM. [7102854] [09-16444, 09-16532, 09-16535, 09-16626, 09-16676, 09-16753, 09-16775, 09-16822, 09-16874, 09-16924, 09-16956, 09-16967, 09-16972, 09-16996, 09-17001, 09-17002, 09-17050, 09-17076, 09-17098, 09-35606, 09-35685, 09-35711, 09-35756,

09-35773, 09-55327, 09-55425, 09-55829, 09-55907, 09-55913, 09-55937, 09-56035, 09-56047, 09-56050, 09-56283, 09-56337, 09-56447, 09-56461, 09-60031, 09-72713] (SB)

- 21                    09/09/2009            RECEIVED 10 PAPER COPIES OF CROSS-APPEAL REPLY BRIEF [19] FILED BY CHIPOTLE MEXICAN GRILL, INC. IN 09-55327, 09-55425. ONE COPY TO CASE FILES, THE REMAINDER TO RECORDS. [7056271] [08-55867, 09-55327, 09-55425, 08-55946] (SD)
- 20                    09/02/2009            FILED CLERK ORDER: CROSS-APPEAL REPLY BRIEF BRIEF [19] FILED BY CHIPOTLE MEXICAN GRILL, INC. WITHIN 5 WORKING DAYS OF THE FILING OF THIS ORDER, FILER IS ORDERED TO FILE 10 COPIES OF THE BRIEF IN PAPER FORMAT, WITH A GREY COVER, ACCOMPANIED BY CERTIFICATION, ATTACHED TO THE END OF EACH COPY OF THE BRIEF, THAT THE BRIEF IS IDENTICAL TO THE VERSION SUBMITTED ELECTRONICALLY. [7049545] [09-55327, 08-55867, 09-55425, 08-55946] (PK)
- 19                    08/28/2009            SUBMITTED (ECF) CROSS-APPEAL REPLY BRIEF BRIEF FOR REVIEW. SUBMITTED BY APPELLANT CHIPOTLE MEXICAN GRILL, INC. IN 09-55425, APPELLEE CHIPOTLE MEXICAN GRILL, INC. IN 09-55327. DATE OF SERVICE: 08/28/2009. [7045225] [09-55425, 09-55327]--[COURT SPREAD FILING TO CASE NOS. 08-55867 AND 08-55946. 09/02/2009 BY MA] (VER)
- 18                    08/20/2009            RECEIVED 10 PAPER COPIES OF THIRD BRIEF ON CROSS-APPEAL [15] FILED BY MAURIZIO ANTONINETTI IN 09-55327, 08-55867, 08-55946, 09-55425. ONE COPY TO CASE FILES, THE REMAINDER TO RECORDS. [7034934] [09-55327, 08-55867, 09-55425, 08-55946] (SD)
- 17                    08/14/2009            FILED APPELLANT MAURIZIO ANTONINETTI EXCERPTS OF RECORD VOLUME 10. SERVED ON 08/14/2009. [7028621] [09-55327, 08-55867, 09-55425, 08-55946] (PK)
- 16                    08/14/2009            FILED CLERK ORDER: THIRD BRIEF ON CROSS-APPEAL

[15] FILED BY MAURIZIO ANTONINETTI IN 09-55327, 09-55425. WITHIN 5 WORKING DAYS OF THE FILING OF THIS ORDER, FILER IS ORDERED TO FILE 10 COPIES OF THE BRIEF IN PAPER FORMAT, WITH A YELLOW COVER, ACCOMPANIED BY CERTIFICATION, ATTACHED TO THE END OF EACH COPY OF THE BRIEF, THAT THE BRIEF IS IDENTICAL TO THE VERSION SUBMITTED ELECTRONICALLY. [7028139] [08-55867, 09-55327, 09-55425, 08-55946] (LA)

- 15                    08/14/2009            SUBMITTED (ECF) THIRD BRIEF ON CROSS-APPEAL BRIEF FOR REVIEW. SUBMITTED BY APPELLANT MAURIZIO ANTONINETTI IN 09-55327. DATE OF SERVICE: 08/14/2009. [7027995] [09-55327, 08-55867, 09-55425, 08-55946] (ABV)
- 13                    07/24/2009            RECEIVED 10 PAPER COPIES OF SECOND BRIEF ON CROSS-APPEAL [11] FILED BY CHIPOTLE MEXICAN GRILL, INC. IN 09-55327, 09-55425. ONE COPY TO CASE FILES, THE REMAINDER TO RECORDS. [7003340] [08-55867, 09-55327, 09-55425, 08-55946] (SD)
- 12                    07/22/2009            FILED CLERK ORDER: SECOND BRIEF ON CROSS-APPEAL BRIEF [11] FILED BY CHIPOTLE MEXICAN GRILL, INC. WITHIN 5 WORKING DAYS OF THE FILING OF THIS ORDER, FILER IS ORDERED TO FILE 10 COPIES OF THE BRIEF IN PAPER FORMAT, WITH A RED COVER, ACCOMPANIED BY CERTIFICATION, ATTACHED TO THE END OF EACH COPY OF THE BRIEF, THAT THE BRIEF IS IDENTICAL TO THE VERSION SUBMITTED ELECTRONICALLY. [7000924] [09-55327, 08-55867, 09-55425, 08-55946] (PK)
- 14                    07/20/2009            FILED APPELLEE/CROSS-APPELLANT CHIPOTLE MEXICAN GRILL, INC. IN 09-55327 & 09-55425 SUPPLEMENTAL EXCERPTS OF RECORD ON APPEAL IN 1 VOLUME. [7004094] [08-55867, 09-55327, 09-55425, 08-55946] (LA)
- 11                    07/17/2009            SUBMITTED (ECF) SECOND BRIEF ON CROSS-APPEAL BRIEF FOR REVIEW. SUBMITTED BY APPELLEE CHIPOTLE MEXICAN GRILL, INC. IN 09-55327. DATE OF SERVICE: 07/17/2009. [6996474] [09-55327, 09-55425]--[COURT

SPREAD FILING TO 08-55867, 08-55946 --07/22/2009 BY MA]  
(GFH)

10                    06/23/2009            RECEIVED 10 PAPER COPIES OF OPENING BRIEF [8]  
FILED BY MAURIZIO ANTONINETTI IN 08-55867, 08-55946,  
09-55327, 09-55425. ONE COPY TO CASE FILES, THE RE-  
MAINDER TO RECORDS. [6966469] [08-55867, 09-55327, 09-  
55425, 08-55946] (SD)

9                    06/17/2009            FILED APPELLANT MAURIZIO ANTONINETTI IN 09-55327,  
09-55425 EXCERPTS OF RECORD IN 9 VOLUMES, WITH  
ADDITIONAL, SEPARATELY-BOUND FULL INDEX.  
SERVED ON 06/15/2009. [6959480] [08-55867, 09-55327, 09-  
55425, 08-55946] (LA)

--                    06/17/2009            FILED CLERK ORDER: FIRST BRIEF ON CROSS-APPEAL  
[8] FILED BY MAURIZIO ANTONINETTI IN 09-55327 & 09-  
55425. WITHIN 5 WORKING DAYS OF THE FILING OF  
THIS ORDER, FILER IS ORDERED TO FILE 10 COPIES OF  
THE BRIEF IN PAPER FORMAT, WITH A BLUE COVER,  
ACCOMPANIED BY CERTIFICATION, ATTACHED TO THE  
END OF EACH COPY OF THE BRIEF, THAT THE BRIEF IS  
IDENTICAL TO THE VERSION SUBMITTED ELECTRONI-  
CALLY. [6959186] [08-55867, 08-55946, 09-55327, 09-55425]  
(LA)

8                    06/16/2009            SUBMITTED (ECF) FIRST BRIEF ON CROSS-APPEAL  
BRIEF FOR REVIEW. SUBMITTED BY APPELLEE MAURI-  
ZIO ANTONINETTI IN 09-55425. DATE OF SERVICE:  
06/16/2009. [6958841] [09-55425, 08-55867, 08-55946, 09-  
55327] (ABV)

7                    05/13/2009            FILED CLERK ORDER (DEPUTY CLERK:LBS ): PLAIN-  
TIFF'S MOTION FOR CONSOLIDATION OF 09-55327 AND  
09-55425 WITH 08-55867 AND 08-55946 IS GRANTED TO  
THE EXTENT THAT THE ABOVE-CAPTIONED APPEALS  
SHALL BE ASSIGNED TO THE SAME MERITS PANEL.  
THESE APPEALS SHALL BE BRIEFED SEPARATELY.  
BRIEFING HAS BEEN COMPLETED IN 08-55867 AND 08-  
55946. THE BRIEFING SCHEDULE ESTABLISHED ON  
MARCH 20, 2009 IN 09-55327 AND 09-55425 IS UN-  
CHANGED. [08-55867, 08-55946, 09-55327, 09-55425] (SC)

- 6 04/28/2009 FILED (ECF) APPELLANT MAURIZIO ANTONINETTI IN 09-55327 MOTION TO CONSOLIDATE CASES 09-55327, 09-55425, 08-55867, 08-55946. DATE OF SERVICE: 04/28/2009. [6899891] [09-55327, 08-55867, 09-55425, 08-55946] (ABV)
- 5 04/10/2009 FILED CERTIFICATE OF RECORD ON APPEAL. RT FILED IN DC 10/20/08 (CW)
- 4 03/20/2009 FILED APPELLANT CHIPOTLE MEXICAN GRILL, INC. IN 09-55425 CIVIL APPEALS DOCKETING STATEMENT. SERVED ON 03/16/2009. [09-55425, 09-55327] (RT)
- 3 03/20/2009 DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. SEND CADS: NO. SETTING CROSS-APPEAL BRIEFING SCHEDULE AS FOLLOWS: FIRST CROSS APPEAL BRIEF DUE 06/17/2009 FOR MAURIZIO ANTONINETTI. SECOND BRIEF ON CROSS APPEAL DUE 07/17/2009 FOR CHIPOTLE MEXICAN GRILL, INC.. THIRD BRIEF ON CROSS APPEAL DUE 08/17/2009 FOR MAURIZIO ANTONINETTI. OPTIONAL CROSS APPEAL REPLY BRIEF FOR CHIPOLTE MEXICAN GRILL, INC. IS DUE 14 DAYS AFTER SERVICE OF THE THIRD BRIEF ON CROSS APPEAL. [09-55425, 09-55327] (RT)
- 2 03/05/2009 FILED APPELLANT MAURIZIO ANTONINETTI CIVIL APPEALS DOCKETING STATEMENT. SERVED ON 02/27/2009. (RT)
- 1 03/05/2009 DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. SEND CADS: NO. THE SCHEDULE IS SET AS FOLLOWS: DESIGNATION OF RT FOR APPELLANT MAURIZIO ANTONINETTI DUE 03/12/2009. DESIGNATION OF RT FOR APPELLEE CHIPOTLE MEXICAN GRILL, INC. AND DOES DUE 03/23/2009. TRANSCRIPT ORDER FOR APPELLANT MAURIZIO ANTONINETTI DUE 04/01/2009. TRANSCRIPT DUE FOR COURT REPORTER JOAN KING, COURT REPORTER ON 05/01/2009. CERTIFICATE OF RECORD DUE 04/08/2009. APPELLANT MAURIZIO ANTONINETTI OPENING BRIEF DUE 06/17/2009. APPELLEE CHIPOTLE MEXI-

CAN GRILL, INC. AND APPELLEE DOES ANSWERING  
BRIEF DUE 07/17/2009. APPELLANT'S OPTIONAL REPLY  
BRIEF IS DUE 14 DAYS AFTER SERVICE OF THE AN-  
SWERING BRIEF. (RT)