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**U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CIVIL DOCKET FOR CASE #: 2:00-cv-01860-SMM**

EEOC, et al v. Arrowhead Bagel Co
Assigned to: Judge Stephen M McNamee
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/28/2000
Date Terminated: 09/27/2001
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **C Emanuel Smith**
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V.

Defendant

Arrowhead Bagel Co

Date Filed	#	Docket Text
09/28/2000	1	COMPLAINT FILED (LSP) (Entered: 09/29/2000)
12/14/2000	2	RETURN OF SERVICE EXECUTED personally upon dft Arrowhead Bagel Co (s/c) on 12/11/00, by svc upon its statutory agent, Mathis Becker. (former emp) (Entered: 12/15/2000)
01/02/2001	3	STANDARD CIVIL TRACK INITIAL ORDER by Judge Stephen M. McNamee (cc: all counsel) re: order [3-1] (former emp) (Entered: 01/02/2001)
01/22/2001	4	APPLICATION by pla for entry of dflt pon Arrowhead Bagel Co (former emp) (Entered: 01/24/2001)
01/24/2001	5	DEFAULT ENTERED (re application as to dft Arrowhead Bagel Co (cc: all counsel) (former emp) (Entered: 01/24/2001)
03/06/2001	7	MOTION for default judgment against Arrowhead Bagel Co by pla [7-1] (former emp) (Entered: 03/08/2001)
03/07/2001	6	MINUTE ORDER: IT IS ORDERED setting a status hearing, re: plaintiff's motion for entry of default judgment and to set jury trial for Monday, April 2, 2001 at 2:30 p.m. before the Honorable Stephen M. McNamee in courtroom #4, 6th floor (cc: all counsel/MP) [6-3] (ALL) (Entered: 03/07/2001)
04/02/2001	8	MINUTE ENTRY before Judge Stephen M. McNamee Crt Rptr: Marilyn Sanchez PRESENT: Michelle G. Marshall for the plaintiff. Frank Faase, Co-owner for Arrowhead Bagel Co. Status hearing held. Counsel for the plaintiff requests this matter be referred to the Magistrate Judge for the purpose of conducting a two-day evidentiary hearing regarding their motion for default judgment. So ordered. The Court will refer this matter to a Magistrate Judge. A supplemental order will follow. [cc: all counsel/MP] [8-2] (ALL) (Entered: 04/02/2001)
04/09/2001	9	ORDER by Judge Stephen M. McNamee that Pla's request for a jury trial on damages is denied [7] FURTHER ORDERED that this matter is referred to the Hon Virginia A Mathis for an evidentiary hearing on damages, Evidentiary Hearing set for 9:30 5/23/01 and continuing until

		5/24/01 , before Mag Judge Virginia A. Mathis (cc: all counsel) (MAP) (Entered: 04/09/2001)
04/13/2001	10	NOTICE by pla EEOC of service of a copy of the 4/3/01 order on the dft (former emp) (Entered: 04/18/2001)
04/25/2001	11	NOTICE by pla OF TAKING DEPO OF Custodian of Records, Glendale Police Dept., on the following date(s): 5/8/01 (former emp) (Entered: 04/25/2001)
05/21/2001	12	TRIAL BRIEF FILED by pla (former emp) (Entered: 05/22/2001)
05/23/2001	13	MINUTE ENTRY before Judge Stephen M. McNamee Crt Rptr: Vicki Reger Evidentiary Hearing Held Plaintiffs' Exhibit 1 and 2 admitted Hearing to resume 5/24/01 at 9:30am [cc: all cnsl] [13-2] (MAP) Modified on 05/24/2001 (Entered: 05/24/2001)
05/24/2001	14	MINUTE ENTRY before Magistrate Judge Virginia A Mathis Crt Rptr: Gary Moll Evidentiary Hearing Continues Witnesses sworn and examined. Pla's Exhibits admitted Matter Taken Under Advisement [cc: all counsel] [14-1] re: minute entry [14-1] (MAP) Modified on 05/25/2001 (Entered: 05/25/2001)
05/24/2001	15	WITNESS LIST by pla EEOC (for Evidentiary Hearing) (MAP) (Entered: 05/25/2001)
05/24/2001	16	EXHIBIT LIST submitted by pla EEOC (for Evidentiary Hearing) (MAP) (Entered: 05/25/2001)
05/30/2001	17	NOTICE by pla of filing backpay calculations for April Heinzerling, Danielle Welker and Dennis Parson. (former emp) (Entered: 06/01/2001)
05/31/2001	18	SUPPLEMENTAL BRIEF FILED by pla regarding injunctive relief [12-1] (former emp) (Entered: 06/06/2001)
06/06/2001	19	Transcript Ordering Form by pla re hearing of 5/23/01 through 5/24/01. (former emp) (Entered: 06/08/2001)
06/07/2001	20	MOTION to amend complaint to conform to evidence by pla EEOC [20-1] (no lodged pleading submitted, SIGNEED copy attached as an exhibit) (MAP) (Entered: 06/11/2001)
06/07/2001	21	(NOTICE OF FILING) EXECUTED DECLARATION of David Lopez in re motion to amend complaint to conform to evidence by pla EEOC [20-1] (no lodged pleading submitted, SIGNEED copy attached as an exhibit) [20-1] (MAP) (Entered: 06/11/2001)
06/07/2001	22	REPORT AND RECOMMENDATION by Mag Judge Virginia A. Mathis: Recommend that this Crt enter dflt jgm in the following amts and as to the following injunctive relief: 1) On behalf of Danielle Welker, backpay in the amt of \$2,568.00 plus interest for the period 12/1/98 through jgm, plus compensatory (comp) damages (dmgs) of \$25,000 and punitive dmgs of \$25,000. 2) On behalf of Terry Boroff, comp dmgs of \$5,000 and punitive dmgs of \$5,000. 3) On behalf of Jessica Young,

		comp dmgs of \$25,000 and punitive dmgs of \$25,000. 4) On behalf of April Heinzerling, back pay of \$10,424.70 plus interest from 2/1/99 through date of jgm plus comp dmgs of \$25,000 and punitive dmgs of \$25,000. 5) On behalf of Melissa Barker, back pay and interest in the amt of \$17,846.77, plus comp dmgs of \$25,000 and punitive dmgs of \$25,000. 6) On behalf of Amy Sweitzer, comp dmgs of \$10,000 and punitive dmgs of \$20,000. 7) On behalf of Amber Bean, comp dmgs of \$10,000 and punitive dmgs of \$20,000. 8) On behalf of Dennis Parson, back pay in the amt of \$7,840.00 plus interest from 2/15/99 to date of jgm plus comp dmgs of \$10,000 and punitive dmgs of \$20,000. 9) On behalf of EEOC, injunctive relief, for a period of 5 years from the dte of final jgm which requires dft Arrowhead Bagel Co., LLC to do the following if it conducts any further business: See doc for further details. (cc: all cnsl) (former emp) (Entered: 06/12/2001)
06/15/2001	23	TRANSCRIPT of Evidentiary Hearing (Vol 2) by Court Reporter: G. Moll for the following date(s): 5/24/01 (former emp) (Entered: 06/18/2001)
06/15/2001	24	TRANSCRIPT of Evidentiary Hearing - Volume 2 (Excerpt - testimony of Dennis Parson) by Court Reporter: G. Moll for the following date(s): 5/24/01. (former emp) (Entered: 06/18/2001)
06/21/2001	25	REPORT AND RECOMMENDATION by Mag Judge Virginia A. Mathis recommending that, if dft does not obj to the mtn to amend, the mtn to amend be granted. (cc: all cnsl) (former emp) (Entered: 06/21/2001)
06/22/2001	26	TRANSCRIPT of Evidentiary Hrg by Court Reporter: V. Reger for the following date(s): 5/23/01. (former emp) (Entered: 06/27/2001)
06/27/2001	27	NOTICE by pla of filing backpay calculations including interest through 6/26/01 for April Heinzerling, Danielle Welker, Melissa Barker and Dennis Parson according to the Court's R&R dated 6/5/01. (former emp) (Entered: 07/02/2001)
09/27/2001	28	ORDER by Judge Stephen M. McNamee that the Magistrate Judge's REPORT AND RECOMMENDATION dated 6/5/01 and 6/20/01 are accepted and adopted by the Court. FURTHER ORDERED that pla's motion to amend complaint to conform to evidence [20-1] is granted (no lodged pleading submitted, SIGNEED copy attached as an exhibit). FURTHER ORDERED that default judgment is entered against Arrowhead Bagel Co [7-1] in the following injunctive relief: 1) Daniell Welker, back pay of \$2568.00 plus interest for the period 12/1/98 until the date of judgment, plus compensatory damages of \$25,000 and punitive damages of \$25,000. 2) Terry Boroff, compensatory damages of \$5,000 and punitive damages of \$5,000. 3) Jessica Young, compensatory damages in the amount of \$25,000 and punitive damages of \$25,000; 4) April Heinzerling, back pay of \$10,424.70 plus interest from 2/1/99 until the date of judgment, plus compensatory damages of \$25,000 and punitive damages of \$25,000; 5) Melissa Barker, back pay and interest in the amount of \$17,846.77, plus compensatory damages of \$25,000 and

		<p>punitive damages of \$25,000; 6) Amy Sweitzer, compensatory damages of \$10,000 and punitive damages of \$20,000; Amber Bean, compensatory damages of \$10,000 and punitive damages of \$20,000; 8) Dennis Parson, back pay in the amount of \$7840 plus interest from 2/15/99 to the date of judgment, plus compensatory damages of \$10,000 and punitive damages of \$20,000; 9) On behalf of the EEOC, injunctive relief, for a period of 5 years from the date of final judgment, which requires dft, Arrowhead Begal Company, LLC, to do the as instructed in this Order. The Clerk is directed to enter judgment accordingly; and IT IS FURTHER ORDERED that the exhibits marked and admitted in this case shall be returned to pla's counsel. terminating case (cc: all counsel) (KMG) (Entered: 09/27/2001)</p>
09/27/2001	29	<p>DEFAULT JUDGMENT entered re: order [28-2], re: motion for default judgment against Arrowhead Bagel Co by pla [7-1]; Pursuant to Rule 55 (b) of the Federal Rules of Civil Procedure and upon Application of Plaintiff, default judgment is entered against Defendant in the following amounts and as to the following injunctive relief: 1) On behalf of Danielle Welker, back pay in the amount of \$2,568 plus interest for the period 12/1/98 until the date of judgment, plus compensatory damages of \$25,000 and punitive damages of \$25,000; 2) On behalf of Terry Boroff, compensatory damages of \$5,000 and punitive damages of \$5,000; 3) On behalf of Jessica Young, compensatory damages in the amount of \$25,000 and punitive damages of \$25,000; 4) On behalf of April Heinzerling, back pay of \$10,424.70 plus interest from 2/1/99 until the date of judgment, plus compensatory damages of \$25,000 and punitive damages of \$25,000; 5) On behalf of Melissa Barker, back pay and interest in the amount of \$17,846.77, plus compensatory damages of \$25,000 and punitive damages of \$25,000; 6) On behalf of Amy Sweitzer, compensatory damages of \$10,000 and punitive damages of \$20,000; 7) On behalf of Amber Bean, compensatory damages of \$10,000 and punitive damages of \$20,000; 8) On behalf of Dennis Parson, back pay in the amount of \$7,840 plus interest from 2/15/99 to the date of judgment, plus compensatory damages of \$10,000 and punitive damages of \$20,000; 9) On behalf of the EEOC, injunctive relief, for a period of 5 years from the date of final judgment. (cc: all counsel) (KMG) (Entered: 09/27/2001)</p>
03/06/2002	30	<p>NOTICE by pla EEOC OF TAKING DEPOSITIONS OF Steve Oceretko on 4/2/02, Caroline Oceretko on 4/2/02, Frank Fasse on 4/3/02 and Bernadine Fasse on 4/3/02 (SAT) (Entered: 03/07/2002)</p>

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