

CLOSED, STD

**U.S. District Court
DISTRICT OF ARIZONA (Prescott Division)
CIVIL DOCKET FOR CASE #: 3:02-cv-01504-MHM**

EEOC v. Desert Subway Inc
Assigned to: Judge Mary H Murguia
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 08/08/2002
Date Terminated: 09/14/2005
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**
EEOC
3300 N Central Ave
Ste 690
Phoenix, AZ 85012-1848
602-640-5033
Fax: 602-640-5009
Email: emanuel.smith@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mary Joleen O'Neill
EEOC
3300 N Central Ave
Ste 690
Phoenix, Az 85012-1848
602-640-5044
Fax: 602-640-5009
Email: mary.oneill@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sandra J Padegimas
EEOC
3300 N Central Ave
Ste 690
Phoenix, AZ 85012-1848
602-640-5061
Fax: 602-640-5009
Email: sandra.padegimas@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lucila G Rosas
EEOC
3300 N Central Ave

Ste 690
 Phoenix, AZ 85012
 602-640-5025
 Fax: 602-640-5009
 Email: lucila.rosas@eeoc.gov
ATTORNEY TO BE NOTICED

V.

Defendant

Desert Subway Inc

represented by **John Mark Ogden**
 Littler Mendelson PC
 2425 E Camelback Rd
 Ste 900
 Phoenix, AZ 85016-2907
 602-474-3601
 Fax: 602-957-1801
 Email: mogden@littler.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Shawn Oller
 Littler Mendelson
 2425 E Camelback Rd
 Ste 900
 Phoenix, AZ 85016-2907
 602-474-3600
 Fax: 602-957-1801
 Email: soller@littler.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/08/2002	1	COMPLAINT FILED (LSP) (Entered: 08/09/2002)
08/13/2002	2	RETURN OF SERVICE EXECUTED summons/complaint upon dft Desert Subway Inc on 8/9/02 (DMT) (Entered: 08/14/2002)
08/28/2002	3	ANSWER to complaint [1-1] by dft (DMT) (Entered: 09/03/2002)
09/19/2002	4	ORDER by Judge Mary H. Murguia designating action a standard track case; prel scheduling conf set for 4:30 12/2/02 (cc: all counsel) (DMT) (Entered: 09/19/2002)
11/15/2002	5	NOTICE of service of first set of non-uniform interrogatories and first request for production of documents (discovery) on 11/14/02 by pla. (former emp) (Entered: 11/18/2002)
11/21/2002	6	CASE MGT PLAN/REPORT by pla and dft (DMT) (Entered: 11/22/2002)

12/02/2002	7	MINUTE ENTRY before Judge Mary H. Murguia . Crt Rptr: Liz Lemke. Present: Sandra Padegimas for pla; John Ogden for dft. Prel scheduling conf held; court approves case mgmt plan; order to issue. ORDERED setting status hearing for 4:00PM, 4/14/03 [7] (former emp) (Entered: 12/03/2002)
12/05/2002	8	SCHEDULING ORDER by Judge Mary H. Murguia ; discovery due 6/27/03 ; dispositive motions due 8/29/03 (cc: all counsel) re: order (scheduling) [8-1] (DMT) (Entered: 12/05/2002)
12/16/2002	9	NOTICE of service of discovery documents by dft Desert Subway Inc . (former emp) (Entered: 12/17/2002)
12/16/2002	10	NOTICE of compliance of initial disclosure statement pursuant to FRCivP 26(a) by pla EEOC (former emp) (Entered: 12/17/2002)
12/16/2002	11	NOTICE of service of discovery by dft. (DMT) (Entered: 12/18/2002)
12/18/2002	12	NOTICE of compliance of initial disclosure statement pursuant to FRCivP 26(a) by dft (DMT) (Entered: 12/19/2002)
12/19/2002	13	NOTICE of compliance of first supplemental disclosure statement pursuant to FRCivP 26(a) by pla (DMT) (Entered: 12/20/2002)
01/24/2003	14	NOTICE of compliance of initial disclosure statement pursuant to FRCivP 26(a) by pla EEOC (MAP) (Entered: 01/30/2003)
02/07/2003	15	NOTICE of service of discovery by pla. (DMT) (Entered: 02/10/2003)
02/07/2003	16	NOTICE of service of discovery by pla. (DMT) (Entered: 02/10/2003)
03/10/2003	17	NOTICE of service of discovery by dft. (DMT) (Entered: 03/13/2003)
03/18/2003	18	NOTICE by pla OF TAKING VIDEOTAPED DEPO OF Mark Hungerford on 4/10/03 of Darlene Corbett on 4/11/03 (DMT) (Entered: 03/20/2003)
03/24/2003	19	NOTICE by dft OF TAKING DEPO OF Cara Shepherd on the following date(s): 4/11/03 (DMT) (Entered: 03/25/2003)
03/27/2003	20	FIRST AMENDED NOTICE by pla OF TAKING DEPO OF Darlene Corbett on 4/7/03; and of Mark Hungerford on 4/10/03 (DMT) (Entered: 03/27/2003)
04/07/2003	22	NOTICE of service of discovery by dft Desert Subway Inc . (former emp) (Entered: 04/10/2003)
04/09/2003	21	MINUTE ORDER status hearing re settlement status set for 4/14/03 is vacated; status hearing to be reset by separate order. (cc: all counsel) [21] (former emp) (Entered: 04/09/2003)
04/17/2003	23	NOTICE of service of discovery by pla EEOC . (former emp) (Entered: 04/18/2003)
04/25/2003	24	NOTICE of compliance of third supplemental disclosure statement pursuant to FRCivP 26(a) by pla (DMT) (Entered: 04/29/2003)

05/19/2003	25	NOTICE by pla EEOC OF TAKING DEPO OF Desert Subway, Inc., on the following date(s): 5/30/03 @ 1:00pm (FMP) (Entered: 05/20/2003)
05/19/2003	26	NOTICE by pla EEOC OF TAKING DEPO OF Cheryl Wickwire on the following date(s): 5/30/03 @ 9:00am (FMP) (Entered: 05/20/2003)
06/06/2003	27	MINUTE ORDER status hearing re settlement status is set for 4:00PM, 6/17/03 (cc: all counsel) [27] (former emp) (Entered: 06/06/2003)
06/17/2003	28	MINUTE ENTRY before Judge Mary H. Murguia . Crt Rptr: Merilyn Sanchez. Present: Sandra Padegimas for pla; Robert Oller and John Ogden for dft. Status hearing held. ORDERED continuing discovery dll set for 8/29/03 and dispositive motions dll to 9/26/03. FURTHER ORDERED setting status hearing for 4:45PM, 7/15/03; parties to be present at status hearing. [cc: all cnsl] [28] (former emp) (Entered: 06/19/2003)
06/17/2003	29	NOTICE of service of discovery by pla. (DMT) (Entered: 06/19/2003)
07/11/2003	30	MINUTE ORDER status hearing set for 7/15/03 is vacated and reset to 3:45PM, 7/22/03 (cc: all counsel) [30] (former emp) (Entered: 07/11/2003)
07/22/2003	31	MINUTE ENTRY before Judge Mary H. Murguia . Crt Rptr: Merilyn Sanchez. Present: Sandra Padegimas for pla; Karen Shepard, pla; Robert Oller and John Ogden for dft; Mark Roden dft. Status hearing held. Counsel and parties present. Dft addresses the Court as to reasons why case will not settle. Case will proceed within current deadlines. [31] (former emp) (Entered: 07/23/2003)
07/25/2003	32	NOTICE of service of discovery by pla. (DMT) (Entered: 07/29/2003)
07/30/2003	33	NOTICE by pla OF TAKING DEPO OF Joy Morris on the following date(s): 8/14/03 (DMT) (Entered: 07/31/2003)
08/01/2003	34	NOTICE of service of discovery by pla EEOC . (former emp) (Entered: 08/05/2003)
08/05/2003	35	NOTICE of compliance of fourth supplemental disclosure statement pursuant to FRCivP 26(a) by pla (DMT) (Entered: 08/08/2003)
08/06/2003	36	NOTICE by dft OF TAKING DEPO OF Larry Shepherd, Megan Jennings on the following date(s): 8/19/03 (DMT) (Entered: 08/11/2003)
08/07/2003	37	Transcript Designation and Ordering Form by pla EEOC re hearing held 7/22/03 (former emp) (Entered: 08/11/2003)
08/07/2003	38	NOTICE of service of discovery by dft Desert Subway Inc . (former emp) (Entered: 08/11/2003)
08/08/2003	39	AMENDED NOTICE by pla OF TAKING DEPO OF dft on the following date(s): 8/21/03 (DMT) (Entered: 08/11/2003)
08/08/2003	40	NOTICE by pla OF TAKING DEPO OF Cheryl Wickwire and Mark Rodin on the following date(s): 8/21/03 (DMT) (Entered: 08/11/2003)

08/12/2003	41	STIPULATION to allow dft to file first amended answer to complaint [3-1] by pla, dft (no lodged document) (DMT) Modified on 08/19/2003 (Entered: 08/13/2003)
08/12/2003	42	TRANSCRIPT of status hrg before Judge Mary H Murguia by Court Reporter: Merilyn A Sanchez for the following date(s): 7/22/03 (DMT) (Entered: 08/13/2003)
08/15/2003	43	AMENDED NOTICE by dft OF TAKING DEPO OF Megan Jennings, Larry Shepherd on the following date(s): 8/28/03 (DMT) (Entered: 08/19/2003)
08/19/2003	44	ORDER by Judge Mary H. Murguia granting stipulation to allow dft to file first amended answer to complaint [3-1] by pla, dft (cc: all counsel) (DMT) (Entered: 08/19/2003)
08/19/2003	45	NOTICE of compliance of first supplemental disclosure statement pursuant to FRCivP 26(a) by dft (DMT) (Entered: 08/22/2003)
08/19/2003	46	FIRST AMENDED answer to complaint [3-1] by dft (DMT) (Entered: 08/22/2003)
08/20/2003	47	NOTICE of service of discovery by dft. (DMT) (Entered: 08/22/2003)
08/20/2003	48	SECOND AMENDED NOTICE by pla OF TAKING DEPO OF dft Desert Subway Inc on the following date(s): 8/21/03 (DMT) (Entered: 08/22/2003)
08/21/2003	49	SECOND NOTICE by pla OF TAKING DEPO OF Mark Roden on the following date(s): 8/26/03 (DMT) (Entered: 08/26/2003)
08/27/2003	50	THIRD NOTICE by pla OF TAKING DEPO OF Mark Roden on the following date(s): 8/29/03 (DMT) (Entered: 09/02/2003)
08/27/2003	51	MOTION under Rule 16 and 37 for sanction of preclusion of witnesses for failure to comply with disclosure requirements against dft by pla [51-1] (DMT) (Entered: 09/02/2003)
08/27/2003	52	MEMORANDUM IN SUPPORT by pla of motion under Rule 16 and 37 for sanction of preclusion of witnesses for failure to comply with disclosure requirements against dft by pla [51-1] (DMT) (Entered: 09/02/2003)
09/02/2003	53	NOTICE of compliance of fifth supplemental disclosure statement pursuant to FRCivP 26(a) by pla (DMT) (Entered: 09/04/2003)
09/08/2003	54	NOTICE of service of discovery by dft. (DMT) (Entered: 09/10/2003)
09/11/2003	55	RESPONSE by dft to motion (to strike) under Rule 16 and 37 for sanction of preclusion of witnesses for failure to comply with disclosure requirements against dft by pla [51-1] (DMT) (Entered: 09/16/2003)
09/22/2003	56	REPLY by pla to response to motion under Rule 16 and 37 for sanction of preclusion of witnesses for failure to comply with disclosure requirements against dft by pla [51-1] (DMT) (Entered: 09/23/2003)

09/26/2003	57	MOTION for partial summary judgment re on 2 defenses raised in the first amended answer of dft by pla [57-1] (DMT) (Entered: 09/29/2003)
09/26/2003	58	STATEMENT OF FACTS by pla re motion for partial summary judgment re on 2 defenses raised in the first amended answer of dft by pla [57-1] [57-1] (DMT) (Entered: 09/29/2003)
09/26/2003	59	MOTION for summary judgment by dft [59-1] (DMT) (Entered: 09/29/2003)
09/26/2003	60	STATEMENT OF FACTS by dft re motion for summary judgment by dft [59-1] (DMT) (Entered: 09/29/2003)
10/09/2003	61	NOTICE OF FILING original signed DECLARATION of Cara Shepherd attached to re statement of facts [58-1] by pla (DMT) (Entered: 10/09/2003)
10/27/2003	62	RESPONSE by dft to motion for partial summary judgment re on 2 defenses raised in the first amended answer of dft by pla [57-1] (DMT) (Entered: 10/29/2003)
10/27/2003	63	STATEMENT OF FACTS by dft in opposition to motion for partial summary judgment re on 2 defenses raised in the first amended of dft by pla [57-1] (DMT) (Entered: 10/29/2003)
10/29/2003	64	RESPONSE by pla to motion for summary judgment by dft [59-1] (DMT) (Entered: 10/30/2003)
10/29/2003	65	STATEMENT OF FACTS by pla in support of response [64-1]to motion for summary judgment by dft [59-1] (DMT) (Entered: 10/30/2003)
11/07/2003	66	STIPULATION to extend time to 12/3/03 to reply to response to motion [62-1], motion for partial summary judgment re on 2 defenses raised in the first amended answer of dft by pla [57-1] by pla, dft (DMT) (Entered: 11/10/2003)
11/10/2003	67	MOTION to extend time to i12/2/03 for dft to file their reply in support of motion for sum jgm by dft [67-1] (DMT) (Entered: 11/12/2003)
11/17/2003	68	ORDER by Judge Mary H. Murguia granting stipulation to extend time to 12/3/03 to reply to response to motion [62-1], motion for partial summary judgment re on 2 defenses raised in the first amended answer of dft by pla [57-1] by pla, dft (cc: all counsel) (DMT) (Entered: 11/17/2003)
11/24/2003	69	ORDER by Judge Mary H. Murguia granting motion to extend time for dft to file their reply in support of motion for sum jgm by dft [67-1] (cc: all counsel) (DMT) Modified on 11/24/2003 (Entered: 11/24/2003)
12/02/2003	70	REPLY by dft to response to motion for summary judgment by dft [59-1] (DMT) (Entered: 12/04/2003)
12/02/2003	71	REPLY by pla to response to motion for partial summary judgment re on 2 defenses raised in the first amended answer of dft by pla [57-1] (DMT) (Entered: 12/04/2003)

12/08/2003	72	RESPONSE by dft to pla's statement of facts [65-1] (DMT) (Entered: 12/10/2003)
12/08/2003	72	MOTION to strike affidavit of Sandra J Padegimas by dft [72-1] (part of response 72-1) (DMT) (Entered: 12/10/2003)
12/23/2003	73	RESPONSE by pla to dft's response [72-1] to pla's statement of facts (DMT) (Entered: 01/02/2004)
12/23/2003	73	RESPONSE by pla to motion to strike affidavit of Sandra J Padegimas by dft [72-1] (part of response 73-1) (DMT) (Entered: 01/02/2004)
01/06/2004	74	REPLY by dft Desert Subway Inc to response to motion to strike affidavit of Sandra J Padegimas by dft [72-1] (part of response 72-1) (LSP) (Entered: 01/08/2004)
03/19/2004	75	ORDER by Judge Mary H. Murguia granting in part and denying in part motion under Rule 16 and 37 for sanction of preclusion of witnesses for failure to comply with disclosure requirements against dft by pla [51-1]. Ordered striking all but 4 of the witnesses disclosed in dft's 1st supplemental disclosure statement. Ordered directing dft to hand deliver to pla a list of the 4 witnesses which it has selected from dft's 1st supplemental disclosure statement no later than 14 day from date this order is filed. Ordered reopening disc for additional 30 days from date dft delivers its list of the additional 4 witness, solely for purpose of allowing deposition of these witnesses (cc: all counsel) (DMT) (Entered: 03/19/2004)
04/20/2004	76	NOTICE by pla EEOC OF TAKING DEPO OF Lori Volkman on the following date(s): 4/27/04 (MAP) (Entered: 04/26/2004)
04/20/2004	77	NOTICE by pla EEOC OF TAKING DEPO OF Elizabeth Hammond on the following date(s): 4/30/04 (MAP) (Entered: 04/26/2004)
04/20/2004	78	NOTICE by pla EEOC OF TAKING DEPO OF Devin Baldwin on the following date(s): 4/30/04 (MAP) (Entered: 04/26/2004)
09/28/2004	79	ORDER by Judge Mary H. Murguia denying motion for partial summary judgment re on 2 defenses raised in the first amended answer of dft by pla [57-1], granting in part and denying in part motion for summary judgment by dft [59-1]. Granting dft sum jgm on pla's claim of discrimination by denial of a maternity uniform, claim of hostile work environment and claim of constructive discharge; denied as to pla's claim of discrimination by reduction in number of work hours; , granting motion to strike affidavit of Sandra J Padegimas by dft [72-1] (part of response 72-1) ; ; status hearing set for 3:30 11/8/04 (cc: all counsel) (DMT) (Entered: 09/28/2004)
11/04/2004	80	MOTION to vacate status hrg by dft [80-1] (DMT) (Entered: 11/08/2004)
11/08/2004	81	ORDER by Judge Mary H. Murguia granting motion to vacate status hrg of 11/8/04 by dft [80-1] ; status hearing reset for 4:00 11/17/04 (cc: all counsel) (DMT) (Entered: 11/08/2004)

11/17/2004	82	MINUTE ENTRY before Judge Mary H. Murguia. Crt Rptr: Linda Schroeder-Willis. Appearances: Sandra Padegimas for the plaintiff. Robert Oller and John Ogden (telephonically) for the defendant. Status Hearing held. IT IS ORDERED setting this matter for Jury Trial in Prescott, Arizona on Tuesday, March 1, 2005 at 9:00 a.m. IT IS FURTHER ORDERED that counsel file a joint pretrial order, proposed voir dire, proposed jury instructions, and all motions in limine by Monday, January 31, 2005. IT IS FURTHER ORDERED setting this matter for Final Pretrial Conference on Monday, February 14, 2005 at 3:30 p.m. before the Honorable Mary H. Murguia. At counsel's request, IT IS FURTHER ORDERED referring this matter to a Magistrate Judge for the purpose of conducting a settlement conference. The Clerk, by random lot, draws and assigns this matter to Magistrate Judge Mathis, that Court to set date and time of conference. [cc: MHM] [82-2] (KSB) (Entered: 11/17/2004)
11/24/2004	83	ORDER by Mag Judge Virginia A. Mathis ; settlement conference set for 9:30 1/7/05 , before Mag Judge Virginia A. Mathis (cc: all counsel) (DMT) (Entered: 11/24/2004)
11/24/2004	84	ORDER by Judge Mary H. Murguia ; PTO ddl set for 1/31/05 ; Final Pretrial conference set for 3:30 2/14/05 ; jury trial set for 9:00 3/1/05 (cc: all counsel) (DMT) (Entered: 11/24/2004)
01/07/2005	85	MINUTE ENTRY before Mag Judge Virginia A. Mathis . . ; settlement conference held, no settlement reached [cc: cnsl]] [85-2] (DMT) (Entered: 01/10/2005)
01/31/2005		PROPOSED PRE-TRIAL ORDER submitted by pla, dft. To MHM (DMT) (Entered: 02/03/2005)
01/31/2005	86	MOTION(No. 1) in limine to exclude testimony re EEOC's administrative investigation by pla EEOC [86-1] (SRB) (Entered: 02/03/2005)
01/31/2005	87	MOTION(No. 2) in limine re to exclude testimony re Cara Shepards dating and marital history by pla EEOC [87-1] (SRB) (Entered: 02/03/2005)
01/31/2005	88	MOTION(No. 3) in limine re to exclude testimony re tattoos by pla EEOC [88-1] (SRB) (Entered: 02/03/2005)
01/31/2005	89	MOTION(No. 4) in limine re to exclude evidence re dfts belated post HOC invitation to EEOC to provide EEO training by pla EEOC [89-1] (SRB) (Entered: 02/03/2005)
01/31/2005	90	MOTION(No. 5) in limine re to exclude evidence re dfts hiring of other women who became pregnant by pla EEOC [90-1] (SRB) (Entered: 02/03/2005)
01/31/2005	91	MOTION(No. 6) in limine re to exclude evidence re dfts post HOC "Good Faith Efforts" to comply with title VII by pla EEOC [91-1] (SRB) (Entered: 02/03/2005)

01/31/2005	92	MOTION in limine re pla's "termination" and dfts investigation by dft Desert Subway Inc [92-1] (SRB) (Entered: 02/03/2005)
01/31/2005	93	MOTION in limine re previously dismissed claims by dft Desert Subway Inc [93-1] (SRB) (Entered: 02/03/2005)
01/31/2005	94	MOTION to bifurcate punitive damages by dft Desert Subway Inc [94-1] (SRB) (Entered: 02/03/2005)
01/31/2005	95	NOTICE by dft Desert Subway Inc of intent to use charts, summaries, or calculations (SRB) (Entered: 02/03/2005)
01/31/2005	96	Proposed Form of Verdict by pla EEOC (SRB) (Entered: 02/03/2005)
01/31/2005	97	JOINT Proposed Jury instructions by dft Desert Subway Inc (SRB) (Entered: 02/03/2005)
01/31/2005	98	JOINT Proposed Voir dire submitted by pla, dft (SRB) (Entered: 02/03/2005)
01/31/2005	99	Proposed Form of Verdict by dft Desert Subway Inc (SRB) (Entered: 02/03/2005)
02/09/2005	100	MINUTE ORDER: Due to a conflict on the Court's calendar, the Court ORDERS that the Pretrial Conference currently set on February 14, 2005 be reset to April 4, 2005 at 3:30 p.m. before the Honorable Mary H. Murguia. The Court further ORDERS that the Jury Trial currently set on March 1, 2005 be reset to May 3, 2005 at 9:00 a.m. before the Honorable Mary H. Murguia in Prescott, Arizona. (cc: MHM, all counsel) [100-2] (KSB) (Entered: 02/09/2005)
02/11/2005	101	NOTICE by dft Desert Subway Inc of conflicting trial settings (LAD) (Entered: 02/16/2005)
02/15/2005	102	RESPONSE by pla EEOC to motion to bifurcate punitive damages by dft Desert Subway Inc [94-1] (LAD) (Entered: 02/18/2005)
02/15/2005	103	RESPONSE by dft Desert Subway Inc to motion in limine re to exclude evidence re dfts hiring of other women who became pregnant by pla EEOC [90-1] (LAD) (Entered: 02/18/2005)
02/15/2005	104	RESPONSE by dft Desert Subway Inc to motion in limine re to exclude evidence re dfts post HOC "Good Faith Efforts" to comply with title VII by pla EEOC [91-1] (LAD) (Entered: 02/18/2005)
02/15/2005	105	RESPONSE by dft Desert Subway Inc to motion in limine re to exclude testimony re tattoos by pla EEOC [88-1] (LAD) (Entered: 02/18/2005)
02/15/2005	106	RESPONSE by dft Desert Subway Inc to motion in limine to exclude testimony re EEOC's administrative investigation by pla EEOC [86-1] (LAD) (Entered: 02/18/2005)
02/15/2005	107	RESPONSE by pla EEOC to motion in limine re pla's "termination" and dfts investigation by dft Desert Subway Inc [92-1] (LAD) (Entered: 02/18/2005)

02/15/2005	108	RESPONSE by pla EEOC to motion in limine re previously dismissed claims by dft Desert Subway Inc [93-1] (LAD) (Entered: 02/18/2005)
02/15/2005	109	RESPONSE by dft to motion in limine re to exclude testimony re Cara Shepards dating and marital history by pla EEOC [87-1] (DMT) (Entered: 02/25/2005)
02/28/2005	111	REPLY by dft Desert Subway Inc to response to motion to bifurcate punitive damages by dft Desert Subway Inc [94-1] (KCS) (Entered: 03/07/2005)
03/07/2005	110	MINUTE ORDER: The Court ORDERS that the Final Pretrial Conference currently set on April 4, 2005 be reset to Monday, May 9, 2005 at 3:00 p.m. before the Honorable Mary H. Murguia. (cc: MHM, all counsel) [110-2] (KSB) (Entered: 03/07/2005)
03/23/2005	112	MINUTE ORDER: Due to a conflict on the Court's calendar, the Court ORDERS that the Pretrial Conference currently set on May 9, 2005 be reset to Monday, July 11, 2005 at 4:00 p.m. before the Honorable Mary H. Murguia. The Court further ORDERS that the Jury Trial be reset to Tuesday, August 23, 2005 at 9:00 a.m. before the Honorable Mary H. Murguia in Prescott, Arizona. (cc: all counsel) [112-2] (KSB) (Entered: 03/23/2005)
06/22/2005	113	MINUTE ORDER: Due to a conflict on the Court's calendar, the Court ORDERS that the Final Pretrial Conference currently set on July 11, 2005 be reset to Friday, July 29, 2005 at 11:00 a.m. before the Honorable Mary H. Murguia. (cc: all counsel) [113-2] (KSB) (Entered: 06/22/2005)
07/29/2005	114	Minute Entry for proceedings held before Judge Mary H. Murguia. Court Reporter: Patricia Lyons. Appearances: Sandra Padegimas for the plaintiff. Shawn Oller and John Ogden for the defendant. Also present is Mark Roden, Defendant's representative. Final Pretrial Conference held. IT IS ORDERED continuing the Jury Trial from August 23, 2005 to Monday, September 19, 2005 at 9:00 a.m. before Judge Murguia in U.S. Post Office and Courthouse, Second Floor, Cortez and Goodwin Streets, Prescott, AZ 86301. Discussion held regarding length of trial. Counsel stipulate to a jury of eight. Plaintiff's motion in limine to exclude testimony re: EEOC's administrative investigation [86] is denied as moot. Plaintiff's motion in limine to exclude testimony re: Cara Shepards dating and marital history [87] is denied as moot. Plaintiff's motion in limine to exclude testimony re: tattoos [88] is denied as moot. Plaintiff's motion in limine to exclude evidence re: defendants belated post HOC invitation to EEOC to provide EEOC training [89] and Plaintiff's motion in limine to exclude evidence re: defendan's post HOC "Good Faith Efforts" to comply with title VII [91] are withdrawn by Plaintiff. Plaintiff's motion in limine re: to exclude evidence re: defendants hiring of other women who became pregnant [90] is granted in part and denied in part, for the reasons stated on the record. Defendant's motion in limine regarding Plaintiff's "termination" and Defendant's investigation [92] is denied. Defendant's motion in limine re: previously dismissed claims [93] is denied. Defendant's motion to bifurcate punitive damages [94] is denied.

		IT IS ORDERED setting this matter for Status Hearing on September 7, 2005 at 4:30 p.m. before Judge Mary H. Murguia. [This is a TEXT ONLY entry. There is no.pdf document attached.] (KSB) (Entered: 08/05/2005)
08/15/2005	115	OBJECTION to Designations of Deposition Transcript for Joy Lynn Morris by Defendant Desert Subway Inc. (Oller, Robert) (Entered: 08/15/2005)
08/15/2005	116	OBJECTION to Designations of Deposition Transcript for Larry Shepherd by Defendant Desert Subway Inc. (Oller, Robert) (Entered: 08/15/2005)
08/16/2005	117	NOTICE of Appearance by Lucila G Rosas on behalf of Equal Employment Opportunity Commission (Rosas, Lucila) (Entered: 08/16/2005)
09/01/2005	118	Notice re Notice of Consent Decree by Desert Subway Inc (Oller, Robert) (Entered: 09/01/2005)
09/06/2005	119	Minute Order: The parties having filed a notice that they are preparing to lodge a consent decree, the Court ORDERS vacating the Status Hearing set on September 7, 2005. The Court further ORDERS setting this matter for Status Hearing on Tuesday, September 13, 2005 at 4:00 p.m., to be vacated upon filing of lodged consent decree. [This is a TEXT ONLY entry. There is no.pdf document attached.] (KSB) (Entered: 09/06/2005)
09/07/2005	120	Joint MOTION to Approve Consent Judgment (<i>Consent Decree</i>) by Equal Employment Opportunity Commission. (Attachments: # 1 Consent Decree)(Padegimas, Sandra) (Entered: 09/07/2005)
09/13/2005	121	Minute Order: The Court having approved the consent decree, the Court ORDERS vacating the Status Hearing set this date and the Jury Trial set September 19, 2005 in Prescott, Arizona before the Honorable Mary H. Murguia. [This is a TEXT ONLY entry. There is no.pdf document attached.](KSB) (Entered: 09/13/2005)
09/14/2005	122	CONSENT DECREE/JUDGMENT this decree resolves all claims of the Commission against dft, compensatory and punitive damages, interest, injunctive relief, attorney's fees, and costs arising out of the issues in this lawsuit. Judgment is entered in favor of the Commission and against dft in the amount of \$3,950 in full settlement of Ms. Shepherd's claim for compensatory damages. Each party shall bear its costs and attorney's fees incurred as a result of this action through the filing of this Decree . Signed by Judge Mary H Murguia on 9/12/05. (KMG,) (Entered: 09/14/2005)

PACER Service Center

Transaction Receipt

04/04/2007 13:48:53			
PACER Login:	hs0328	Client Code:	
Description:	Docket Report	Search Criteria:	3:02-cv-01504-MHM
Billable Pages:	7	Cost:	0.56
