

**U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CIVIL DOCKET FOR CASE #: 2:04-cv-01094-DGC**

EEOC v. Luby's Inc
Assigned to: Judge David G Campbell
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 05/27/2004
Date Terminated: 05/17/2006
Jury Demand: Both
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.

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Sally Case

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TERMINATED: 12/29/2005

Date Filed	#	Docket Text
05/27/2004	1	COMPLAINT FILED (ESH) (Entered: 05/27/2004)
06/08/2004	<u>2</u>	ORDER by Judge David G. Campbell Pla shall effect service of the complaint and summons on all dfts within 120 days after the filing of the complaint. Initial order shall serve as notice to pla under Rule 4(m) that the Court may dismiss this action without further notice with respect to any dft(s) named in the complaint that are not served within this time period. Pla (s) shall notify Court in writing when service has been accomplished on dft(s) in accordance with Rule 4 and shall request Court set a Case Management Conference. Pla(s) shall provide notification to the Court within 10 days after service of the complaint on all dft(s). Upon receipt of such notice, Court will issue an order setting Rule 16 Case Management Conference that directs parties to comply with Rule 26(f) of the Fed Rules of Cv Procedure and describes the Case Management Report that must be filed by parties before the Case Management Conference. As stated in Rule 16(d), parties shall not seek disc from any source until they have conferred as required by Rule 26(f). Pla(s) shall ensure that all dft(s) promptly receive a copy of this order.(cc: all counsel) re: order filed [2-1] (DMT) (ADI-ICMS,). (Entered: 06/08/2004)
06/15/2004	3	AMENDED COMPLAINT by pla;; jury demand [1-1] ; (DMT) (Entered: 06/16/2004)
06/15/2004	4	RETURN OF SERVICE EXECUTED summons/complaint upon dft Luby's Inc on 6/4/04 in San Antonio, TX (DMT) (Entered: 06/16/2004)
06/24/2004	5	RETURN OF SERVICE EXECUTED summons/complaint upon dft Luby's Inc on 6/17/04 in San Antonio, TX (DMT) (Entered: 06/25/2004)
06/24/2004	6	CORPORATE DISCLOSURE STATEMENT by dft (DMT) (Entered: 06/25/2004)
06/24/2004	7	ANSWER to complaint [1-1], complaint (amended) [3-1] by dft; jury demand (DMT) (Entered: 06/25/2004)
06/24/2004	8	MOTION for admission pro hac vice as to Terrence B Robinson of Neel & Hooper 1700 W Loop South Suite 1400 Houston, TX 77027, atty for dft [8-1] (DMT) (Entered: 06/25/2004)
06/25/2004		Pro Hac Vice \$25 Fee Paid as to Terrence B Robinson (BAS) (Entered: 06/25/2004)

06/30/2004	<u>9</u>	ORDER by Judge David G. Campbell granting motion for admission pro hac vice as to Terrence B Robinson of Neel & Hooper 1700 W Loop South Suite 1400 Houston, TX 77027, atty for dft [8-1] (cc: all counsel) (DMT) (ADI-ICMS,). (Entered: 06/30/2004)
07/01/2004	<u>10</u>	ORDER by Judge David G. Campbell ; prel scheduling conf set for 10:00 7/30/04 (cc: all counsel) (DMT) (ADI-ICMS,). (Entered: 07/01/2004)
07/01/2004	11	NOTICE by pla of service of initial order of 6/7/04 and amended complaint summons on dft (DMT) (Entered: 07/02/2004)
07/06/2004	<u>12</u>	ORDER by Judge David G. Campbell ; prel scheduling conf reset for 10:00 8/13/04 (cc: all counsel) (DMT) (ADI-ICMS,). (Entered: 07/06/2004)
08/06/2004	13	CASE MGT PLAN/REPORT: ; ; (DMT) (Entered: 08/09/2004)
08/09/2004	14	MOTION to intervene as pla by Sally Case [14-1] (lodged pla's intervenor complaint at docket clerk's desk) (DMT) (Entered: 08/10/2004)
08/13/2004	15	MINUTE ENTRY before Judge David G. Campbell. Crt Rprtr: Patricia Lyons. Appearances: Sally Shanley for pla; Kimberly Fatica for dft; Rose Daly-Rooney for intervenor Sally Case. Motion to intervene discussed and granted. Order to follow. Preliminary scheduling conference held. Dispositive motions due 7/1/05. Order to follow. [cc: DGC] [15-2] (LMR) (Entered: 08/17/2004)
08/18/2004	<u>16</u>	ORDER by Judge David G. Campbell granting motion to intervene as pla by Sally Case [14-1] pursuant to Federal Rule of Civil Procedure 24(a); FURTHER ORDERED that the complaint lodged with the motio to intervene is deemed filed as of the date of this order (cc: all counsel) (LAD) (ADI-ICMS,). (Entered: 08/18/2004)
08/18/2004	17	INTERVENOR COMPLAINT by intervenor pla Sally Case (OK to file per order #16 8/18/04) (LAD) (Entered: 08/18/2004)
08/18/2004	<u>18</u>	SCHEDULING ORDER by Judge David G. Campbell ; discovery due 6/1/05 (cc: all counsel) re: order (scheduling) [18-1] (LAD) (ADI-ICMS,). (Entered: 08/18/2004)
08/25/2004	19	ANSWER to intervenor complaint [17-1] by dft Luby's Inc; jury demand (DMT) (Entered: 08/26/2004)
09/10/2004	20	NOTICE of compliance of initial disclosure statement pursuant to FRCivP 26(a) by intervenor-plaintiff Sally Case (DMT) (Entered: 09/15/2004)
09/16/2004	21	NOTICE of service of initial disclosure statement pursuant to FRCivP 26(a) by dft Luby's Inc (KCS) (Entered: 09/21/2004)
09/20/2004	22	NOTICE of compliance of initial disclosure statement pursuant to FRCivP 26(a) by pla (DMT) (Entered: 09/22/2004)
09/23/2004	23	NOTICE of service of discovery by dft Luby's Inc . (KCS) Modified on 10/21/2004 (Entered: 09/24/2004)
10/15/2004	24	MOTION to disqualify cnsl Kim Fatica and firm of Brockelman & Fatica by intervenor-plaintiff Sally Case [24-1] (DMT) (Entered: 10/20/2004)
10/26/2004	25	NOTICE by dft Luby's Inc OF TAKING DEPO OF Sally Case on the following date(s): 12/15/04 (KCS) (Entered: 10/27/2004)
10/26/2004	26	NOTICE of service of discovery by intervenor-plaintiff Sally Case . (KCS) (Entered: 10/27/2004)
10/28/2004	27	NOTICE of service of discovery responses by pla EEOC . (FMP) (Entered: 11/02/2004)
10/29/2004	28	ATTORNEY APPEARANCE for dft Luby's Inc by Michael S Rubin, Gary L Birnbaum w/ Mariscal, Weeks, McIntyre & Friedlander PA (FMP) (Entered: 11/03/2004)
10/29/2004	29	STIPULATION to extend time for 1 week, up to & including 11/08/04 to respond to Intervenor/Pla's Motion for Disqualification of Counsel by dft Luby's Inc, intervenor-plaintiff Sally Case (FMP) (Entered: 11/03/2004)

11/05/2004	<u>30</u>	ORDER by Judge David G. Campbell granting stipulation to extend time for 1 week, up to & including 11/08/04 to respond to Intervenor/Plas Motion for Disqualification of Counsel by dft Luby's Inc, intervenor-plaintiff Sally Case (cc: all counsel) (LAD) (ADI-ICMS,). (Entered: 11/05/2004)
11/08/2004	31	MOTION to exceed the page limit for doc(s) response by dft Luby's Inc [31-1] to pla's motion for disqualification of cnsl (lodged response at docket clerk's desk) (DMT) (Entered: 11/16/2004)
11/12/2004	32	STIPULATION as to mental health treatment records by pla, dft (DMT) (Entered: 11/16/2004)
11/16/2004	<u>33</u>	ORDER by Judge David G. Campbell granting motion to exceed the page limit for doc(s) response by dft Luby's Inc [31-1] to pla's motion for disqualification of cnsl (cc: all counsel) (DMT) (ADI-ICMS,). (Entered: 11/16/2004)
11/16/2004	34	RESPONSE by dft to motion to disqualify cnsl Kim Fatica and firm of Brockelman & Fatica by intervenor-plaintiff Sally Case [24-1] (DMT) (Entered: 11/16/2004)
11/16/2004	<u>35</u>	PROTECTIVE ORDER by Judge David G. Campbell : granting stipulation as to mental health treatment records by pla, dft (cc: all counsel) (DMT) (ADI-ICMS,). (Entered: 11/16/2004)
11/17/2004	36	STIPULATION to extend time to respond to dfts reply for disqualification of counsel by pla EEOC (SRB) (Entered: 11/24/2004)
11/22/2004	37	REPLY by pla to response to motion to disqualify cnsl Kim Fatica and firm of Brockelman & Fatica by intervenor-plaintiff Sally Case [24-1] (DMT) (Entered: 11/30/2004)
11/23/2004	38	NOTICE of compliance of first supplemental disclosure statement pursuant to FRCivP 26(a) by dft Luby's Inc (DMT) (Entered: 11/30/2004)
11/30/2004	<u>39</u>	ORDER by Judge David G. Campbell granting stipulation to extend time to 11/22/04 for pla-intervenor to reply to dfts response for disqualification of counsel by pla EEOC (cc: all counsel) (DMT) (ADI-ICMS,). (Entered: 11/30/2004)
11/30/2004	40	NOTICE of compliance of initial disclosure statement pursuant to FRCivP 26(a) by dft Luby's Inc (SRB) (Entered: 12/03/2004)
11/30/2004	41	NOTICE by dft Luby's Inc OF TAKING DEPO OF Sally Case on the following date(s): 12/15/04 (SRB) (Entered: 12/03/2004)
12/02/2004	42	NOTICE of compliance of first supplemental disclosure statement pursuant to FRCivP 26(a) by intervenor-plaintiff Sally Case (KMG) (Entered: 12/07/2004)
12/02/2004	43	NOTICE by dft Luby's Inc OF TAKING DEPO OF Marianne Case on the following date(s): 12/16/04 (KMG) (Entered: 12/07/2004)
12/02/2004	44	NOTICE by dft Luby's Inc OF TAKING DEPO OF Jennifer Case on the following date(s): 12/16/04 (KMG) (Entered: 12/07/2004)
12/02/2004	45	NOTICE of compliance of third suppl disclosure statement pursuant to FRCivP 26(a) by dft Luby's Inc (KMG) (Entered: 12/07/2004)
12/14/2004	46	SUPPLEMENTAL by dft Luby's Inc to response to motion for disquailification of counsel [34-1] (SRB) (Entered: 12/16/2004)
12/17/2004	<u>47</u>	ORDER by Judge David G. Campbell denying motion to disqualify cnsl Kim Fatica and firm of Brockelman & Fatica by intervenor-plaintiff Sally Case [24-1] (cc: all counsel) (DMT) (ADI-ICMS,). (Entered: 12/17/2004)
01/11/2005	48	NOTICE (amended) by dft Luby's Inc OF TAKING DEPO OF Sally Case on the following date(s): 03/03/05 @ 9:00 a.m. (KCS) (Entered: 01/14/2005)
01/11/2005	49	NOTICE by dft Luby's Inc OF TAKING DEPO OF Marianne Case on the following date(s): 02/02/05 @ 10:00 a.m. (KCS) (Entered: 01/14/2005)
01/11/2005	50	NOTICE by dft Luby's Inc OF TAKING DEPO OF Jennifer Case on the following date(s): 02/02/05 @ 1:00 p.m. (KCS) (Entered: 01/14/2005)

01/27/2005	51	NOTICE of service of discovery by intervenor–plaintiff Sally Case . (MAP) (Entered: 02/02/2005)
01/27/2005	52	NOTICE of service of discovery by intervenor–plaintiff Sally Case . (MAP) (Entered: 02/02/2005)
02/08/2005	53	JOINT REPORT by pla, dft regarding settlement discussions (SRB) (Entered: 02/15/2005)
02/11/2005	54	NOTICE of service of discovery by intervenor–plaintiff Sally Case (LAD) (Entered: 02/16/2005)
02/11/2005	55	NOTICE of compliance of 1st supplemental disclosure statement pursuant to FRCivP 26(a) by pla EEOC (LAD) (Entered: 02/16/2005)
02/16/2005	56	NOTICE by dft Luby's Inc OF TAKING DEPO OF Custodian of Records for Olive Garden on the following date(s): 3/1/05 (SRB) (Entered: 02/24/2005)
02/16/2005	57	NOTICE by dft Luby's Inc OF TAKING DEPO OF Custodian of Records for Cactus Kindercare on the following date(s): 3/1/05 (SRB) (Entered: 02/24/2005)
02/16/2005	58	NOTICE by dft Luby's Inc OF TAKING DEPO OF Custodian of Records for Sunrise Preschool on the following date(s): 3/1/05 (SRB) (Entered: 02/24/2005)
03/01/2005	59	NOTICE of compliance of initial disclosure statement pursuant to FRCivP 26(a) by intervenor–plaintiff Sally Case as to expert witness disclosure and report (DMT) (Entered: 03/02/2005)
03/02/2005	<u>60</u>	ORDER by Judge David G. Campbell that disc conference was held and expert disclosure to be filed by 3/15/05 for pla and 4/15/05 for dfts with rebuttal expert disclosure by 5/1/05 and deposition completion for experts of 6/1/05 shall remain unchanged and all other provisions of the Case Management Order #18 shall remain in effect. (cc: all counsel) re: order filed [60–1] (DMT) (ADI–ICMS,). (Entered: 03/02/2005)
03/03/2005	61	NOTICE of service of discovery by intervenor–plaintiff Sally Case . (KMG) (Entered: 03/07/2005)
03/03/2005	62	NOTICE of service of discovery by intervenor–plaintiff Sally Case . (KMG) (Entered: 03/07/2005)
03/09/2005	63	NOTICE of compliance of supplemental disclosure statement pursuant to FRCivP 26(a) by intervenor–plaintiff Sally Case as to expert witness disclosure and report (DMT) (Entered: 03/16/2005)
03/11/2005	64	NOTICE of service of discovery by intervenor–plaintiff Sally Case . (DMT) (Entered: 03/23/2005)
03/11/2005	65	NOTICE of service of discovery by intervenor–plaintiff Sally Case . (DMT) (Entered: 03/23/2005)
03/15/2005	66	NOTICE of service of discovery by dft Luby's Inc . (KCS) (Entered: 03/24/2005)
03/15/2005	67	MOTION for Rule 35 exams by dft Luby's Inc [67–1] , and for extension of expert witness disclosure ddl by dft [67–2] (DMT) (Entered: 03/28/2005)
03/15/2005	68	SEALED Document re: exhibit C, F,G re motion 67 by dft (DMT) (Entered: 03/28/2005)
03/17/2005	69	NOTICE of compliance of Luby's 4th Supplemental disclosure statement pursuant to FRCivP 26(a) by dft Luby's Inc (FMP) (Entered: 03/29/2005)
03/21/2005	70	NOTICE by dft Luby's Inc OF TAKING DEPO OF Custodian of Records, Fry's Food & Drug, 2727 W Bell Rd, Phx on the following date(s): 04/05/05 (FMP) (Entered: 03/29/2005)
03/23/2005	75	NOTICE by pla EEOC OF TAKING VIDEO DEPO OF Melissa Joy Nye on the following date(s): 4/5/05 at 9 am (LAD) (Entered: 03/31/2005)
03/23/2005	76	NOTICE by pla EEOC OF TAKING DEPO OF Keith Martin on the following date(s): 4/6/05 at 9 am (LAD) (Entered: 03/31/2005)

03/23/2005	77	NOTICE of compliance of 5th supplemental disclosure statement pursuant to FRCivP 26(a) by dft Luby's Inc (LAD) (Entered: 03/31/2005)
03/23/2005	78	NOTICE of compliance of expert disclosure statement pursuant to FRCivP 26(a) by pla EEOC (LAD) (Entered: 03/31/2005)
03/24/2005	71	MOTION for reconsideration of order granting dft's motion for Rule 35 examinations of Sally Case by pla EEOC, intervenor–plaintiff Sally Case [71–1] (DMT) (Entered: 03/31/2005)
03/29/2005	72	FIRST AMENDED NOTICE by pla OF TAKING DEPO OF Keith Martin on the following date(s): 4/7/05 (DMT) (Entered: 03/31/2005)
03/29/2005	73	NOTICE (first amended) by pla OF TAKING DEPO OF Melissa Joy Nye on the following date(s): 4/6/05 (DMT) (Entered: 03/31/2005)
03/31/2005	<u>74</u>	ORDER by Judge David G. Campbell, disc conference held 3/22/05, dft may conduct a Rule 35 examination of Sally Case. Denying motion for Rule 35 exams by dft Luby's Inc [67–1], denying motion for extension of expert witness disclosure ddl by dft [67–2] as it violates order. Court's order as to the Rule 35 examination as set forth in this order shall not be altered by this denial (cc: all counsel) (DMT) (ADI–ICMS,). (Entered: 03/31/2005)
03/31/2005	<u>79</u>	ORDER by Judge David G. Campbell denying motion for reconsideration of order granting dft's motion for Rule 35 examinations of Sally Case by pla EEOC, intervenor–plaintiff Sally Case [71–1] (cc: all counsel) (DMT) (ADI–ICMS,). (Entered: 03/31/2005)
04/01/2005	81	NOTICE of compliance of sixth supplemental disclosure statement pursuant to FRCivP 26(a) by dfts (DMT) (Entered: 04/04/2005)
04/04/2005	<u>80</u>	ORDER by Judge David G. Campbell as to telephone conference held 4/1/05 as to Rule 35 examination of Sally Case. (cc: all counsel) re: order filed [80–1] (DMT) (ADI–ICMS,). (Entered: 04/04/2005)
04/08/2005	83	NOTICE of service of discovery by pla. (DMT) (Entered: 04/11/2005)
04/08/2005	84	NOTICE by dft Luby's Inc OF TAKING DEPO OF Tannaer Case, Dr Robert D Schulte on the following date(s): 5/11/05 (DMT) (Entered: 04/11/2005)
04/08/2005	85	NOTICE by dft Luby's Inc OF TAKING DEPO OF Marianne Case and Leti Cano on the following date(s): 5/10/05 (DMT) (Entered: 04/11/2005)
04/08/2005	86	NOTICE by dft Luby's Inc OF TAKING DEPO OF Ishmael Holguin on the following date(s): 5/12/05 (DMT) (Entered: 04/11/2005)
04/08/2005	87	NOTICE of compliance of seventh supplemental disclosure statement pursuant to FRCivP 26(a) by dft Luby's Inc (DMT) (Entered: 04/11/2005)
04/08/2005	88	NOTICE of compliance of eighth supplemental disclosure statement pursuant to FRCivP 26(a) by dft (DMT) (Entered: 04/11/2005)
04/11/2005	<u>82</u>	ORDER by Judge David G. Campbell re: the 4/7/05 disc conference call with parties (cc: all counsel) re: order filed [82–1] (DMT) (ADI–ICMS,). (Entered: 04/11/2005)
04/11/2005	89	NOTICE of compliance of ninth supplemental disclosure statement pursuant to FRCivP 26(a) by dft Luby's Inc (DMT) (Entered: 04/12/2005)
04/12/2005	90	NOTICE of service of discovery by dft Luby's Inc . (SRB) (Entered: 04/14/2005)
04/13/2005	91	NOTICE of compliance of ninth supplemental disclosure statement pursuant to FRCivP 26(a) by dft (DMT) (Entered: 04/14/2005)
04/15/2005	92	NOTICE of service of discovery by intervenor–plaintiff Sally Case . (KCS) (Entered: 04/18/2005)
04/15/2005	93	BRIEF FILED re applicability of work produce doctrine to testimony related to dft's internal investigation by pla EEOC (KCS) (Entered: 04/18/2005)
04/18/2005	94	NOTICE of service of expert witness disclosure statement pursuant to FRCivP 26(a)(2) by dft Luby's Inc (LSP) (Entered: 04/19/2005)

04/21/2005	96	NOTICE of service of Luby's Tenth Supplemental Disclosure by dft (LCF) (Entered: 04/22/2005)
04/21/2005	95	NOTICE of service of discovery by pla. (LCF) (Entered: 04/22/2005)
04/22/2005	97	NOTICE by pla EEOC OF TAKING DEPO OF Kenneth Judd on the following date(s): 5/3/05 (LCF) (Entered: 04/25/2005)
04/22/2005	98	NOTICE by pla EEOC OF TAKING DEPO OF Moises Martinez on the following date(s): 5/3/05 (LCF) (Entered: 04/25/2005)
04/22/2005	99	NOTICE by pla EEOC OF TAKING DEPO OF Keith Martin on the following date(s): 5/23/05 (LCF) (Entered: 04/25/2005)
04/22/2005	100	NOTICE by pla EEOC OF TAKING DEPO OF Gary Black on the following date(s): 5/23/05 (LCF) (Entered: 04/25/2005)
04/22/2005	101	NOTICE by pla EEOC OF TAKING DEPO OF Melissa Joy Nye on the following date(s): 5/24/05 (LCF) (Entered: 04/25/2005)
04/22/2005	102	NOTICE by pla EEOC OF TAKING VIDEO DEPO OF Sara "Sally" Aguilar on the following date(s): 5/24/05 (LCF) (Entered: 04/25/2005)
04/25/2005	<u>103</u>	ORDER by Judge David G. Campbell counsel for Luby's shall have until 4/26/05 to file its brief on the work product issue and that pla deposition of Dfts Rule 30(b)(6) witness may occur on or before 5/20/05 (cc: all counsel) re: order filed [103-1] (SRB) (ADI-ICMS,). (Entered: 04/25/2005)
04/26/2005	104	NOTICE by dft Luby's Inc OF TAKING DEPO OF Dorothy Kret on the following date(s): 5/12/05 (LSP) (Entered: 04/27/2005)
04/26/2005	105	NOTICE by dft Luby's Inc OF TAKING DEPO OF Dr. Kevin O'Brien on the following date(s): 5/18/05 (LSP) (Entered: 04/27/2005)
04/26/2005	106	NOTICE by dft Luby's Inc OF TAKING DEPO OF Michael S. Liebman, M.C. on the following date(s): 5/17/05 (LSP) (Entered: 04/27/2005)
04/26/2005	107	NOTICE by dft Luby's Inc OF TAKING DEPO OF Joshua Holland, M.D. on the following date(s): 5/17/05 (LSP) (Entered: 04/27/2005)
04/26/2005	108	RESPONSE by dft Luby's Inc to brief (non-appeal) re Applicability of Work Product Doctrine [93-1] (LSP) (Entered: 04/27/2005)
04/27/2005	109	NOTICE by intervenor-plaintiff Sally Case of service of pla's request for entry upon land for inspection (SRB) (Entered: 04/28/2005)
05/03/2005	112	NOTICE of service of 11th supplemental disclosure statement pursuant to FRCivP 26(a) by dft Luby's Inc (KCS) (Entered: 05/05/2005)
05/04/2005	111	NOTICE of compliance of second supplemental disclosure statement pursuant to FRCivP 26(a) by pla (DMT) (Entered: 05/05/2005)
05/04/2005	113	NOTICE by dft Luby's Inc OF TAKING DEPO OF Dorothy Kret on the following date(s): 5/19/05 (SRB) (Entered: 05/06/2005)
05/05/2005	<u>110</u>	ORDER by Judge David G. Campbell that Plaintiffs may not obtain discovery of mental impressions and opinions formed by Dft's employees in anticipation of litigation after Ms Case's departure (cc: all counsel) re: order filed [110-1] (MAP) (ADI-ICMS,). (Entered: 05/05/2005)
05/06/2005	114	NOTICE by pla EEOC OF TAKING DEPO OF Candido Garcia on the following date(s): 5/12/05 (MAP) (Entered: 05/09/2005)
05/06/2005	115	Amended NOTICE by dft Luby's Inc OF TAKING DEPO OF Leti Cano on the following date(s): 5/10/05 (SAT) (Entered: 05/09/2005)
05/06/2005	116	Amended NOTICE by dft Luby's Inc OF TAKING DEPO OF Tanner Case on the following date(s): 5/11/05 (SAT) (Entered: 05/09/2005)
05/06/2005	117	Amended NOTICE by dft Luby's Inc OF TAKING DEPO OF Ishmael Holguin on the following date(s): 5/12/05 (SAT) (Entered: 05/09/2005)

05/09/2005	118	NOTICE (amended) by pla OF TAKING DEPO OF Sara "Sally" Aguilar on the following date(s): 5/24/05 (DMT) (Entered: 05/10/2005)
05/11/2005	119	NOTICE of compliance of disclosure statement pursuant to FRCivP 26(a) by pla EEOC (KMG) (Entered: 05/11/2005)
05/12/2005	120	NOTICE of service of 1st supplemental disclosure statement pursuant to FRCivP 26(a) by pla EEOC (KCS) (Entered: 05/12/2005)
05/16/2005	121	NOTICE by dft Luby's Inc of Service of Objections to Pla Intervenor's Request for Entry Upon Land for Inspection (KMG) (Entered: 05/17/2005)
05/16/2005	122	NOTICE of service of discovery by dft Luby's Inc . (KMG) (Entered: 05/17/2005)
05/20/2005	123	NOTICE of service of discovery by dft Luby's Inc . (KCS) (Entered: 05/23/2005)
05/24/2005	125	NOTICE of service of discovery by dft Luby's Inc. (KMG) (Entered: 05/26/2005)
05/25/2005	124	NOTICE of compliance of initial disclosure statement pursuant to FRCivP 26(a) by pla EEOC (KMG) (Entered: 05/26/2005)
05/26/2005	<u>126</u>	ORDER by Judge David G. Campbell ; discovery ddl re-set for 7/8/05 ; dispositive motions due 7/22/05 . The parties are advised that the Court will not be inclined to grant additional extensions absent extraordinary circumstances. IT IS FURTHER ORDERED the parties disagree on whether Pla should be permitted to visit, photograph, and videotape Dft's restaurant in Surprise pursuant to Rule 34 of the FedRCivP. Dft argues that the store is materially different from the Glendale restaurant where the acts at issue in this case occurred. The Rule 34 inspection will be permitted. IT IS FURTHER ORDERED Dft sought permisison to file multiple motions for summary judgment or to exceed the page limit for a single motion. The Court instructed the parties that a single motion should be filed, together with a motion to exceed the page limit. (cc: all counsel) (LSP) (ADI-ICMS,). (Entered: 05/26/2005)
05/27/2005	127	NOTICE by pla EEOC OF TAKING DEPO OF Sara Aguilar on the following date(s): 6/28/05 (SRB) (Entered: 05/31/2005)
05/27/2005	128	NOTICE by dft Luby's Inc OF TAKING DEPO OF Marvin Morgan on the following date(s): 6/16/05 (LSP) (Entered: 05/31/2005)
05/27/2005	129	NOTICE by dft Luby's Inc OF TAKING DEPO OF Toni J Burbridge on the following date(s): 6/13/05 (LSP) (Entered: 05/31/2005)
05/27/2005	130	NOTICE by dft Luby's Inc OF TAKING DEPO OF Christell Sumpter on the following date(s): 6/13/05 (LSP) (Entered: 05/31/2005)
05/27/2005	131	NOTICE by dft Luby's Inc OF TAKING DEPO OF Loretta Gleeson on the following date(s): 6/14/05 (LSP) (Entered: 05/31/2005)
05/27/2005	132	NOTICE by dft Luby's Inc OF TAKING DEPO OF Elodia Holguin on the following date(s): 6/16/05 (LSP) (Entered: 05/31/2005)
05/27/2005	133	NOTICE by dft Luby's Inc OF TAKING DEPO OF Vicki Morgan on the following date(s): 6/16/05 (LSP) (Entered: 05/31/2005)
05/27/2005	134	NOTICE by dft Luby's Inc OF TAKING DEPO OF Phyllis Coppolino on the following date(s): 6/14/05 (LSP) (Entered: 05/31/2005)
05/27/2005	135	NOTICE by dft Luby's Inc OF TAKING DEPO OF Deanne P Hughes on the following date(s): 6/20/05 (LSP) (Entered: 05/31/2005)
05/27/2005	136	NOTICE by dft Luby's Inc OF TAKING DEPO OF Virginia Debruyne on the following date(s): 6/20/05 (LSP) (Entered: 05/31/2005)
05/27/2005	137	NOTICE by dft Luby's Inc OF TAKING DEPO OF David Lara on the following date(s): 6/21/05 (LSP) (Entered: 05/31/2005)
05/27/2005	138	NOTICE by dft Luby's Inc OF TAKING DEPO OF Pauline Olson on the following date(s): 6/21/05 (LSP) (Entered: 05/31/2005)
05/27/2005	139	NOTICE of service of twelfth supplemental disclosure statement pursuant to FRCivP 26(a) by dft Luby's Inc (LSP) (Entered: 05/31/2005)

06/03/2005	140	SUPPLEMENTAL NOTICE of compliance of initial disclosure statement pursuant to FRCivP 26(a) by dft Luby's Inc (MAP) (Entered: 06/06/2005)
06/03/2005	141	NOTICE by pla EEOC OF TAKING DEPO OF Jill Hammer on the following date(s): 6/9/05 (SRB) (Entered: 06/06/2005)
06/03/2005	142	NOTICE by pla EEOC OF TAKING DEPO OF Ricardo Ontiveros on the following date(s): 6/30/05 (SRB) (Entered: 06/06/2005)
06/03/2005	143	NOTICE by pla EEOC OF TAKING DEPO OF Rogelio Ochoa on the following date(s): 6/30/05 (SRB) (Entered: 06/06/2005)
06/03/2005	144	NOTICE by pla EEOC OF TAKING DEPO OF Gary Black on the following date(s): 6/22/05 (SRB) (Entered: 06/06/2005)
06/14/2005	145	AMENDED NOTICE by pla EEOC OF TAKING DEPO OF Ricardo Ontiveros on the following date(s): 6/30/05 (MAP) (Entered: 06/15/2005)
06/14/2005	146	AMENDED NOTICE by pla EEOC OF VIDEOTAPED DEPO OF Rogelio Ochoa on the following date(s): 7/6/05 (MAP) (Entered: 06/15/2005)
06/14/2005	147	NOTICE by pla EEOC OF TAKING DEPO OF Donald Gifford on the following date(s): 6/15/05 (MAP) (Entered: 06/15/2005)
06/14/2005	148	NOTICE by pla EEOC OF TAKING DEPO OF Fernando Hildago Hernandez on the following date(s): 7/6/05 (MAP) (Entered: 06/15/2005)
06/14/2005	149	NOTICE by pla EEOC OF TAKING DEPO OF Jeffrey Weber on the following date(s): 6/15/05 (MAP) (Entered: 06/15/2005)
06/27/2005	150	NOTICE of service of expert disclosure statement pursuant to FRCivP 26(a) by pla EEOC (KCS) (Entered: 06/28/2005)
06/28/2005	151	NOTICE of service of fourteenth supplemental disclosure statement pursuant to FRCivP 26(a) by dft Luby's Inc (CMM) (Entered: 06/29/2005)
07/01/2005	152	Notice of service of plaintiff intervenor's third supplemental disclosure statement by Sally Case (RDS) (Entered: 07/05/2005)
07/01/2005	153	Notice of service of EEOC's fourth supplemental disclosure statement by Equal Employment Opportunity Commission (RDS) (Entered: 07/05/2005)
07/11/2005	154	Notice of Service of Defendant Luby's Second Supplemental Responses to Plaintiff Intervenor's First Set of Discovery Requests, by Luby's Inc (RDS) (Entered: 07/11/2005)
07/14/2005	<u>155</u>	ORDER re discovery conference call with the parties on 7/14/05. Signed by Judge David G. Campbell on 7/14/05. (DGC,) (Entered: 07/14/2005)
07/14/2005		Copy of document number 155, mailed to Gary L. Birnbaum, Mary Joleen O'Neill, Terrence B. Robinson, Michael S. Rubin, C Emanuel Smith on this date. (DGC,) (Entered: 07/14/2005)
07/22/2005	156	MOTION for Leave to File Excess Pages for dft's motion for summary judgment by Luby's Inc. (Motion, statment of facts, and sealed exhibit #20 lodged at SRB's desk.) (KCS) (Entered: 07/25/2005)
07/22/2005	157	MOTION for Leave to File Excess Pages for Motion for Partial Summary Judgment by Equal Employment Opportunity Commission, Sally Case. (Motion, Statement of Facts, and Appendix lodged at docket clerk's desk.) (KCS) (Entered: 07/25/2005)
07/27/2005	158	MOTION for Leave to File Excess Pages for Response to Dft's Motion for Summary Judgment by Equal Employment Opportunity Commission, Sally Case. (MAP,) (Entered: 07/29/2005)
08/02/2005	<u>159</u>	ORDER granting 156 Motion for Leave to File Excess Pages, granting 157 Motion for Leave to File Excess Pages . Signed by Judge David G. Campbell on 8/1/05. (DGC,) (Entered: 08/02/2005)
08/02/2005	<u>168</u>	MOTION for Partial Summary Judgment <i>that Sally Case was a qualified individual for the position of floor attendant and/or was a person with an actual disability</i> by

		Equal Employment Opportunity Commission, and Sally Case. (KCS) (Entered: 08/29/2005)
08/02/2005	<u>169</u>	STATEMENT of facts in support re <u>168</u> MOTION for Partial Summary Judgment that Sally Case was a qualified individual for the position of floor attendant and/or was a person with an actual disability. by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Sally Case. (Attachments: # <u>1</u> Exhibit pages 1-34# <u>2</u> Exhibit continuation Part 2# <u>3</u> Exhibit continuation Part 3# <u>4</u> Exhibit continuation Part 4# <u>5</u> Exhibit continuation Part 5# <u>6</u> Exhibit continuation Part 6)(KCS) (Attachment 2 replaced on 8/12/2010) (MSE,). (Attachment 3 replaced on 8/12/2010) (MSE,). (Entered: 08/29/2005)
08/02/2005	<u>172</u>	MOTION for Summary Judgment by Luby's Inc. (KCS) (Entered: 08/30/2005)
08/02/2005	<u>173</u>	STATEMENT of facts and exhibits in support re <u>172</u> MOTION for Summary Judgment by Defendant Luby's Inc. (Attachments: # <u>1</u> Exhibit Part 1# <u>2</u> Exhibit Part 2# <u>3</u> Exhibit Part 3# <u>4</u> Exhibit Part 4# <u>5</u> Exhibit Part 5# <u>6</u> Exhibit Part 6# <u>7</u> Exhibit Part 7# <u>8</u> Exhibit Part 8)(KCS) (Attachment 3 & Attachment 5 replaced on 8/12/2010 - for better image) (MSE). (Entered: 08/30/2005)
08/02/2005	<u>175</u>	Sealed Document: Exhibit filed by Luby's Inc. (LAD) (Entered: 08/31/2005)
08/17/2005	<u>160</u>	ORDER granting 158 Motion for Leave to File Excess Pages. Signed by Judge David G. Campbell on 8/17/05. (DGC,) (Entered: 08/17/2005)
08/24/2005	<u>161</u>	RESPONSE in Opposition re <u>168</u> Motion for Partial Summary Judgment (Motion, Statement of Facts, and Appendix FILED 8/2/05.) <i>Defendant's Response in Opposition to Plaintiffs' Motion for Partial Summary Judgment</i> filed by Luby's Inc. (Fatica, Kimberly) Modified on 8/29/2005 TO CORRECT LINK TO #168 (KCS). (Entered: 08/24/2005)
08/24/2005	<u>162</u>	STATEMENT <i>Defendant's Controverting and Separate Statement of Facts in Opposition to Plaintiffs' Motion for Partial Summary Judgment</i> by Defendant Luby's Inc. (Attachments: # <u>1</u> Exhibit Luby's Exhibits 1-10# <u>2</u> Exhibit Luby's Exhibits 11-12# <u>3</u> Exhibit Luby's Exhibits 13-16# <u>4</u> Exhibit Luby's Exhibit 17# <u>5</u> Exhibit Luby's Exhibit 18# <u>6</u> Exhibit Luby's Exhibits 19-20# <u>7</u> Exhibit Luby's Exhibits 21-23# <u>8</u> Exhibit Luby's Exhibits 24-26)(Fatica, Kimberly) (Entered: 08/24/2005)
08/24/2005	<u>163</u>	RESPONSE to Motion re <u>172</u> MOTION for summary judgment. (Motion, statment of facts, and sealed exhibit #20 FILED 8/2/05.) <i>Defendant's Motion for Summary Judgment</i> filed by Equal Employment Opportunity Commission. (Marshall, Michelle) Modified on 8/30/2005 (KCS). CORRECTED LINK FROM #156 TO <u>172</u> . (Entered: 08/24/2005)
08/24/2005	<u>164</u>	STATEMENT of of Facts in Support of Response to Defendant's Motion for Summary Judgment re <u>163</u> Response to Motion, by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u> # <u>8</u> # <u>9</u> # <u>10</u>)(Marshall, Michelle) (Entered: 08/24/2005)
08/24/2005	<u>165</u>	MOTION for Leave to File Excess Pages for for Response to Defendant's Motion for summary Judgment by Equal Employment Opportunity Commission. (Attachments: # <u>1</u>)(Marshall, Michelle) (Entered: 08/24/2005)
08/24/2005	<u>166</u>	RESPONSE re <u>163</u> Response to Motion, <i>Opposition to Defendant's Statement of Facts</i> by Plaintiff Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 08/24/2005)
08/29/2005	<u>167</u>	ORDER granting <u>165</u> Motion for Leave to File Excess Pages . Signed by Judge David G Campbell on 8/29/05. (DGC,) (Entered: 08/29/2005)
08/29/2005	<u>170</u>	NOTICE TO FILER OF DEFICIENCY re <u>161</u> Response in Opposition to Motion, filed by Luby's Inc. Description of deficiency: Document was incorrectly linked. (KCS) (Entered: 08/29/2005)
08/29/2005	<u>171</u>	ERRATA re <u>163</u> Response to Motion, <i>Defendant's Motion for Summary Judgment</i> by Plaintiff Equal Employment Opportunity Commission. (Nutter, Karen) (Entered: 08/29/2005)

08/30/2005	<u>174</u>	NOTICE TO FILER OF DEFICIENCY re <u>163</u> Response to Motion, filed by Equal Employment Opportunity Commission, and <u>172</u> MOTION for Summary Judgment filed by Luby's Inc. Description of deficiency: Document incorrectly linked to #156. Docket entry modified to link #163 to #172. (KCS) (Entered: 08/30/2005)
09/06/2005	<u>176</u>	ERRATA re <u>163</u> Response to Motion, <i>Plaintiffs' Second Notice of Errata</i> by Plaintiff Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 09/06/2005)
09/08/2005	<u>177</u>	REPLY to Response to Motion re <u>172</u> MOTION for Summary Judgment <i>Defendant's Reply in Support of its Motion for Summary Judgment</i> filed by Luby's Inc. (Fatica, Kimberly) (Entered: 09/08/2005)
09/08/2005	<u>178</u>	MOTION for Leave to File Excess Pages for Motion to Exceed Page Limit by Luby's Inc. (Fatica, Kimberly) (Entered: 09/08/2005)
09/08/2005	<u>179</u>	OBJECTION <i>Defendant's Objections to Plaintiffs' Misrepresentations of the Record</i> by Defendant Luby's Inc. (Attachments: # <u>1</u>)(Fatica, Kimberly) (Entered: 09/08/2005)
09/12/2005	<u>180</u>	REPLY to Response to Motion re <u>168</u> MOTION for Partial Summary Judgment that Sally Case was a qualified individual for the position of floor attendant and/or was a person with an actual disability. filed by Sally Case. (Rico, Jose) (Entered: 09/12/2005)
09/12/2005	<u>181</u>	REPLY to Response to Motion re <u>168</u> MOTION for Partial Summary Judgment that Sally Case was a qualified individual for the position of floor attendant and/or was a person with an actual disability. filed by Sally Case. (Attachments: # <u>1</u> Exhibit 1–Schulte Deposition# <u>2</u> Exhibit 2–Hammer Deposition# <u>3</u> Exhibit 3–O'Brien Deposition# <u>4</u> Exhibit 4–Schulte Declaration# <u>5</u> Exhibit 5–Lara Affidavit# <u>6</u> Exhibit 6–Jennifer Case Deposition)(Rico, Jose) (Entered: 09/12/2005)
09/12/2005	<u>182</u>	MOTION for Leave to File Excess Pages for Motion to Exceed Page Limit by Sally Case. (Rico, Jose) (Entered: 09/12/2005)
09/15/2005	<u>183</u>	Notice re Errata by Sally Case (Rico, Jose) (Entered: 09/15/2005)
09/16/2005	<u>184</u>	RESPONSE re <u>179</u> Objection <i>Plaintiffs' Response to Defendant's Objections</i> by Plaintiff Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 09/16/2005)
09/19/2005	<u>185</u>	ORDER granting <u>182</u> Motion for Leave to File Excess Pages . Signed by Judge David G Campbell on 9/19/05. (DGC,) (Entered: 09/19/2005)
09/29/2005	<u>186</u>	Notice re Notice of Decision by Sally Case (Attachments: # <u>1</u> Exhibit printed opinion of EEOC v. NEA# <u>2</u> Exhibit printed opinion of Dominguez–Curry v. NV Transportation Dept.)(Chen, Tin–Tin) (Entered: 09/29/2005)
10/04/2005	<u>187</u>	ORDER granting <u>178</u> Motion for Leave to File Excess Pages. Signed by Judge David G Campbell on 10/4/05. (DGC,) (Entered: 10/04/2005)
12/29/2005	<u>188</u>	Notice re Notice of Withdrawal of Counsel by Sally Case <i>Notice of Withdrawal of Counsel Rose Daly–Rooney</i> (Daly–Rooney, Rose) (Entered: 12/29/2005)
12/29/2005	<u>189</u>	ORDER granting in part and denying in part <u>168</u> Motion for Partial Summary Judgment, granting in part and denying in part <u>172</u> Motion for Summary Judgment. Signed by Judge David G Campbell on 12–29–05. (DGC,nvj) (Entered: 12/29/2005)
12/29/2005	<u>190</u>	ORDER Motions in limine due by 2/15/2006, responses to motions in limine due 2/22/06; no replies permitted. Proposed Pretrial Order due by 2/15/2006. Pretrial Conference set for 3/8/2006 04:00 PM in Courtroom 603, 401 West Washington Street, Phoenix, AZ 85003 before Judge David G Campbell. Signed by Judge David G Campbell on 12–20–05. (DGC,nvj) (Entered: 12/29/2005)
02/02/2006	<u>191</u>	MOTION to Strike <i>The Report and Exclude The Testimony of Plaintiffs' Expert, Kevin O'Brien, Ph.D.</i> by Luby's Inc. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u>)(Fatica, Kimberly) (Entered: 02/02/2006)
02/02/2006	<u>192</u>	MOTION for Hearing on Motion <i>Pursuant to Rule 104</i> by Luby's Inc. (Fatica, Kimberly) (Entered: 02/02/2006)

02/03/2006	<u>193</u>	Sealed Exhibit D to Dft's Motion to Strike (#191) filed by Luby's Inc. (REW,) (Entered: 02/08/2006)
02/15/2006	<u>194</u>	TRIAL BRIEF RE: <i>Constructive Discharge</i> by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>195</u>	TRIAL BRIEF RE: <i>Faragher–Ellerth Defense</i> by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>196</u>	TRIAL BRIEF RE: <i>Monetary Damages</i> by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>197</u>	TRIAL BRIEF RE: <i>Equitable Relief</i> by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>198</u>	Proposed Jury Instructions by Equal Employment Opportunity Commission. (Shanley, Sally) (Entered: 02/15/2006)
02/15/2006	<u>199</u>	TRIAL BRIEF RE: <i>Whether Defendant Failed to Reasonably Accommodate Ms. Case's Disability</i> by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>200</u>	TRIAL BRIEF RE: <i>Whether Ms. Case was Disabled at the Tme of the Alleged Discrimination</i> by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>201</u>	TRIAL BRIEF re <i>Harassment</i> by Equal Employment Opportunity Commission. (Nutter, Karen) (Entered: 02/15/2006)
02/15/2006	<u>202</u>	Proposed Voir Dire by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Combined Witness List)(Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>203</u>	TRIAL BRIEF on <i>Issues of Law</i> by Luby's Inc. (Attachments: # <u>1</u>)(Fatica, Kimberly) (Entered: 02/15/2006)
02/15/2006	<u>204</u>	Proposed Jury Instructions by Luby's Inc. (Fatica, Kimberly) (Entered: 02/15/2006)
02/15/2006	<u>205</u>	STATEMENT of Statement of the Case by Plaintiff Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>206</u>	Notice of Filing Proposed Pretrial Order filed by Equal Employment Opportunity Commission (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>207</u>	Notice re Form of Verdict by Equal Employment Opportunity Commission (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>208</u>	First MOTION in Limine re: Evidence Relating to Entry on Land by Luby's Inc. (Attachments: # <u>1</u>)(Fatica, Kimberly) (Entered: 02/15/2006)
02/15/2006	<u>209</u>	Second MOTION in Limine re: Treegoob Report by Luby's Inc. (Attachments: # <u>1</u>)(Fatica, Kimberly) (Entered: 02/15/2006)
02/15/2006	<u>210</u>	Third MOTION in Limine re: Documents and Witnesses Relating to DDD Services by Luby's Inc. (Attachments: # <u>1</u>)(Fatica, Kimberly) (Entered: 02/15/2006)
02/15/2006	<u>211</u>	Fourth MOTION in Limine re: Olson's Rape Testimony by Luby's Inc. (Fatica, Kimberly) (Entered: 02/15/2006)
02/15/2006	<u>212</u>	Fifth MOTION in Limine re: EEOC Position Statement by Luby's Inc. (Fatica, Kimberly) (Entered: 02/15/2006)
02/15/2006	<u>213</u>	Sixth MOTION in Limine re: Testimony of Slapping by Luby's Inc. (Attachments: # <u>1</u>)(Fatica, Kimberly) (Entered: 02/15/2006)
02/15/2006	<u>214</u>	Seventh MOTION in Limine re: Truthful Character of Sally Case by Luby's Inc. (Fatica, Kimberly) (Entered: 02/15/2006)
02/15/2006	<u>215</u>	Eighth MOTION in Limine re: Post–Charge Investigation by Luby's Inc. (Fatica, Kimberly) (Entered: 02/15/2006)

02/15/2006	<u>216</u>	Ninth MOTION in Limine re: Ochoa Counseling Report by Luby's Inc. (Fatica, Kimberly) (Entered: 02/15/2006)
02/15/2006	<u>217</u>	Tenth MOTION in Limine re: Determination of Eligibility for Unemployment Compensation Benefits and DES Witness by Luby's Inc. (Fatica, Kimberly) (Entered: 02/15/2006)
02/15/2006	<u>218</u>	MOTION in Limine re: Alleged Incidents of Sexual Harassment by Luby's Inc. (Fatica, Kimberly) (Entered: 02/15/2006)
02/15/2006	<u>219</u>	First MOTION in Limine re: Motion in Limine re Food Handler's Certificate by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Food Handler's Certificate)(Nutter, Karen) (Entered: 02/15/2006)
02/15/2006	<u>220</u>	MOTION in Limine re: Robert Schulte M.D.'s License Record by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>221</u>	MOTION in Limine re: Witness' Involvement in Unrelated Lawsuit(s) by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>222</u>	MOTION in Limine re: Witness' Alleged History of Criminal Conduct by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>223</u>	MOTION in Limine re: Reasons Sally Case Left Sunrise Preschool by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>224</u>	First MOTION in Limine re: High School Transcript by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Transcript# <u>2</u> Exhibit Expert Report Page)(Nutter, Karen) (Entered: 02/15/2006)
02/15/2006	<u>225</u>	First MOTION in Limine re: Substantially Limited by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Expert Report Page)(Nutter, Karen) (Entered: 02/15/2006)
02/15/2006	<u>226</u>	MOTION in Limine re: J. Case's Worker's Compensation Claims by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>227</u>	First MOTION in Limine re: Health Insurance Letters by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit health insurance letters)(Nutter, Karen) (Entered: 02/15/2006)
02/15/2006	<u>228</u>	MOTION in Limine re: Witness Sally Aguilar's Investigation by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>229</u>	MOTION in Limine re: Defendant's Expert's Opinion re Whether Sally Case was a Person with Mental Retardation in 2000 by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/15/2006	<u>230</u>	MOTION in Limine re: A.T.F. Contributions Worksheets by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/15/2006)
02/16/2006	<u>231</u>	ERRATA re <u>219</u> First MOTION in Limine re: Motion in Limine re Food Handler's Certificate by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Motion in Limine Re Food Handlers Certificate)(Nutter, Karen) (Entered: 02/16/2006)
02/21/2006	<u>232</u>	RESPONSE in Opposition re <u>191</u> MOTION to Strike <i>The Report and Exclude The Testimony of Plaintiffs' Expert, Kevin O'Brien, Ph.D. Response to Def's Motion to Strike the Report and Exclude the Testimony of Plaintiffs' Expert, Kevin O'Brien, Ph.D.</i> filed by Sally Case. (Attachments: # <u>1</u> Exhibit K.O'Brien depo excerpts, Aff. J. Allen, CV# <u>2</u> Exhibit DSM-IV-TR excerpts, J. Hammer Depo ex., Aff. G. Prigatano# <u>3</u> Exhibit G. Prigatano CV# <u>4</u> Exhibit K.O'Brien report, M. Treegoob eval.# <u>5</u> Exhibit Nebraska Client Assessment, AZ Neuropsychology, P.C.# <u>6</u> Exhibit K. O'Brien Affidavit, report)(Chen, Tin-Tin) (Entered: 02/21/2006)
02/22/2006	<u>233</u>	RESPONSE to Motion re <u>228</u> MOTION in Limine re: Witness Sally Aguilar's Investigation filed by Luby's Inc. (Fatica, Kimberly) (Entered: 02/22/2006)
02/22/2006	<u>234</u>	RESPONSE to Motion re <u>230</u> MOTION in Limine re: A.T.F. Contributions Worksheets filed by Luby's Inc. (Fatica, Kimberly) (Entered: 02/22/2006)

02/22/2006	<u>235</u>	RESPONSE to Motion re <u>227</u> First MOTION in Limine re: Health Insurance Letters filed by Luby's Inc. (Fatica, Kimberly) (Entered: 02/22/2006)
02/22/2006	<u>236</u>	RESPONSE to Motion re <u>222</u> MOTION in Limine re: Witness' Alleged History of Criminal Conduct filed by Luby's Inc. (Fatica, Kimberly) (Entered: 02/22/2006)
02/22/2006	<u>237</u>	RESPONSE to Motion re <u>229</u> MOTION in Limine re: Defendant's Expert's Opinion re Whether Sally Case was a Person with Mental Retardation in 2000 filed by Luby's Inc. (Fatica, Kimberly) (Entered: 02/22/2006)
02/22/2006	<u>238</u>	RESPONSE to Motion re <u>219</u> First MOTION in Limine re: Motion in Limine re Food Handler's Certificate filed by Luby's Inc. (Fatica, Kimberly) (Entered: 02/22/2006)
02/22/2006	<u>239</u>	RESPONSE to Motion re <u>224</u> First MOTION in Limine re: High School Transcript filed by Luby's Inc. (Attachments: # <u>1</u>)(Fatica, Kimberly) (Entered: 02/22/2006)
02/22/2006	<u>240</u>	RESPONSE to Motion re <u>225</u> First MOTION in Limine re: Substantially Limited filed by Luby's Inc. (Fatica, Kimberly) (Entered: 02/22/2006)
02/22/2006	<u>241</u>	RESPONSE to Motion re <u>223</u> MOTION in Limine re: Reasons Sally Case Left Sunrise Preschool filed by Luby's Inc. (Fatica, Kimberly) (Entered: 02/22/2006)
02/22/2006	<u>242</u>	RESPONSE to Motion re <u>221</u> MOTION in Limine re: Witness' Involvement in Unrelated Lawsuit(s), <u>226</u> MOTION in Limine re: J. Case's Worker's Compensation Claims, <u>220</u> MOTION in Limine re: Robert Schulte M.D.'s License Record filed by Luby's Inc. (Fatica, Kimberly) (Entered: 02/22/2006)
02/22/2006	<u>243</u>	RESPONSE to Motion re <u>214</u> Seventh MOTION in Limine re: Truthful Character of Sally Case filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibits 1-3)(Marshall, Michelle) (Entered: 02/22/2006)
02/22/2006	<u>244</u>	RESPONSE to Motion re <u>208</u> First MOTION in Limine re: Evidence Relating to Entry on Land filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 1)(Marshall, Michelle) (Entered: 02/22/2006)
02/22/2006	<u>245</u>	RESPONSE to Motion re <u>216</u> Ninth MOTION in Limine re: Ochoa Counseling Report <i>Response to Defendant's Motion in Limine No. 9 Re: Ochoa Counseling Report</i> filed by Sally Case. (Rico, Jose) (Entered: 02/22/2006)
02/22/2006	<u>246</u>	RESPONSE to Motion re <u>211</u> Fourth MOTION in Limine re: Olson's Rape Testimony <i>Response to Defendant's Motion in Limine No. 4-Olson's Rape Testimony</i> filed by Sally Case. (Rico, Jose) (Entered: 02/22/2006)
02/22/2006	<u>247</u>	RESPONSE to Motion re <u>209</u> Second MOTION in Limine re: Treegoob Report <i>Response to Defendant's Motion in Limine No. 2-Treegoob Report</i> filed by Sally Case. (Rico, Jose) (Entered: 02/22/2006)
02/22/2006	<u>248</u>	RESPONSE to Motion re <u>210</u> Third MOTION in Limine re: Documents and Witnesses Relating to DDD Services filed by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/22/2006)
02/22/2006	<u>249</u>	RESPONSE to Motion re <u>215</u> Eighth MOTION in Limine re: Post-Charge Investigation filed by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/22/2006)
02/22/2006	<u>250</u>	RESPONSE to Motion re <u>217</u> Tenth MOTION in Limine re: Determination of Eligibility for Unemployment Compensation Benefits and DES Witness filed by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/22/2006)
02/22/2006	<u>251</u>	RESPONSE to Motion re <u>218</u> MOTION in Limine re: Alleged Incidents of Sexual Harassment filed by Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 02/22/2006)
02/22/2006	<u>252</u>	RESPONSE to Motion re <u>213</u> Sixth MOTION in Limine re: Testimony of Slapping filed by Equal Employment Opportunity Commission. (Nutter, Karen) (Entered: 02/22/2006)
02/22/2006	<u>253</u>	RESPONSE to Motion re <u>212</u> Fifth MOTION in Limine re: EEOC Position Statement filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit)(Nutter, Karen) (Entered: 02/22/2006)

02/23/2006	<u>254</u>	NOTICE of Appearance by Karen E Nutter on behalf of Equal Employment Opportunity Commission (Nutter, Karen) (Entered: 02/23/2006)
02/27/2006	<u>255</u>	MOTION to Withdraw as Attorney for Plaintiff EEOC by Equal Employment Opportunity Commission. (Smith, C) (Entered: 02/27/2006)
03/03/2006	<u>256</u>	REPLY to Response to Motion re <u>191</u> MOTION to Strike <i>The Report and Exclude The Testimony of Plaintiffs' Expert, Kevin O'Brien, Ph.D.</i> filed by Luby's Inc. (Attachments: # <u>1</u>)(Fatica, Kimberly) (Entered: 03/03/2006)
03/08/2006	<u>257</u>	Minute Entry for proceedings held before Judge David G Campbell: Pretrial Conference held on 3/8/2006. Jury Trial set for 4/25/2006 09:00 AM before Judge David G Campbell. Pretrial Conference set for 4/20/2006 04:30 PM before Judge David G Campbell. (Court Reporter Patricia Lyons.) (KFZ) (Entered: 03/09/2006)
03/14/2006	<u>258</u>	ORDER granting <u>255</u> Motion to Withdraw as Attorney. Attorney C Emanuel Smith terminated. Signed by Judge David G Campbell on 3/14/06. (DGC,nvj) (Entered: 03/14/2006)
03/14/2006	<u>259</u>	MOTION for Inclusion of L. Gleeson as a Witness by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit A)(Marshall, Michelle) (Entered: 03/14/2006)
03/15/2006	<u>260</u>	ERRATA re <u>206</u> Notice of Filing Proposed Pretrial Order <i>Correcting Deposition Designations</i> by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit A)(Marshall, Michelle) (Entered: 03/15/2006)
03/16/2006	<u>261</u>	ORDER granting in part and denying in part <u>191</u> Motion to Strike, granting <u>208</u> Motion in Limine, denying <u>209</u> Motion in Limine, denying <u>210</u> Motion in Limine, granting <u>211</u> Motion in Limine, denying <u>212</u> Motion in Limine, granting in part and denying in part <u>213</u> Motion in Limine, denying <u>214</u> Motion in Limine, denying <u>215</u> Motion in Limine, denying <u>216</u> Motion in Limine, granting <u>217</u> Motion in Limine, granting <u>218</u> Motion in Limine, denying <u>219</u> Motion in Limine, granting <u>220</u> Motion in Limine, granting <u>221</u> Motion in Limine, denying <u>222</u> Motion in Limine, granting <u>223</u> Motion in Limine, denying <u>224</u> Motion in Limine, denying <u>225</u> Motion in Limine, granting <u>226</u> Motion in Limine, granting <u>227</u> Motion in Limine, granting <u>228</u> Motion in Limine, denying <u>229</u> Motion in Limine, granting <u>230</u> Motion in Limine. Signed by Judge David G Campbell on 3/16/06. (DGC,nvj) (Entered: 03/16/2006)
03/16/2006	<u>262</u>	ORDER re <u>261</u> ORDER granting in part and denying in part <u>191</u> Motion to Strike, granting <u>208</u> Motion in Limine, denying <u>209</u> Motion in Limine, denying <u>210</u> Motion in Limine, granting <u>211</u> Motion in Limine, denying <u>212</u> Motion in Limine, granting in part and denying in part <u>213</u> Motion in Limine, denying <u>214</u> Motion in Limine, denying <u>215</u> Motion in Limine, denying <u>216</u> Motion in Limine, granting <u>217</u> Motion in Limine, granting <u>218</u> Motion in Limine, denying <u>219</u> Motion in Limine, granting <u>220</u> Motion in Limine, granting <u>221</u> Motion in Limine, denying <u>222</u> Motion in Limine, granting <u>223</u> Motion in Limine, denying <u>224</u> Motion in Limine, denying <u>225</u> Motion in Limine, granting <u>226</u> Motion in Limine, granting <u>227</u> Motion in Limine, granting <u>228</u> Motion in Limine, denying <u>229</u> Motion in Limine, granting <u>230</u> Motion in Limine. Signed by Judge David G Campbell on 3/16/06. (DGC,nvj) Jury Trial set for 4/25/2006 09:00 AM in Courtroom 603, 401 West Washington Street, Phoenix, AZ 85003 before Judge David G Campbell. Pretrial Conference set for 4/20/2006 04:30 PM in Courtroom 603, 401 West Washington Street, Phoenix, AZ 85003 before Judge David G Campbell. Signed by Judge David G Campbell on 3/16/06. (DGC,nvj) (Entered: 03/16/2006)
03/16/2006	<u>263</u>	Court's Proposed Preliminary Jury Instructions and voir dire. (DGC,nvj) (Entered: 03/16/2006)
03/16/2006	<u>264</u>	ORDER granting <u>192</u> Motion for Hearing on Motion. ; Minute Entry <u>192</u> Ruled On Motion. Motion Hearing held at 3/8/2006 at 04:00 PM in Courtroom 603, 401 West Washington Street, Phoenix, AZ 85003 final pretrial conference before Judge David G Campbell. Signed by Judge David G Campbell on 3/16/06. (DGC,nvj) (Entered: 03/16/2006)
03/31/2006	<u>265</u>	RESPONSE to Motion re <u>259</u> MOTION for Inclusion of L. Gleeson as a Witness filed by Luby's Inc. (Fatica, Kimberly) (Entered: 03/31/2006)

04/04/2006	266	ORDER. The Court has been informed by telephone that this case has settled. The parties are apprised, however, that the Court will not cancel the trial date until it has received a fully signed stipulation dismissing this case. The Court will plan to begin trial on April 25, 2006 if does not receive such a stipulation beforehand. Signed by Judge David G Campbell on 4-4-06. (DGC)This is a text-only order; there is no corresponding pdf document. (Entered: 04/04/2006)
04/19/2006	<u>267</u>	Joint MOTION to Approve Consent Judgment by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Consent Decree with Exhibits A-B)(Marshall, Michelle) (Entered: 04/19/2006)
04/19/2006	<u>268</u>	CONSENT DECREE. This Decree resolves all claims arising out of the issues between the Commission, Plaintiff-Intervenor, and Defendant Luby's, Inc. (Luby's or Defendant) in this lawsuit, including without limitation, back pay, compensatory and punitive damages, injunctive relief, costs and attorney's fees. Defendant agrees not to: (a) unlawfully discriminate against any employee on the basis of disability; (b) unlawfully alter the terms and conditions of anyemployee's employment because of disability; (c) unlawfully refuse to reasonablyaccommodate any employee who requires a reasonable accommodation, as required by the ADA, or; (d) retaliate. Signed by Judge David G Campbell on 04/19/06. (KCS) (Entered: 04/19/2006)
05/09/2006	269	ORDER finding as moot <u>259</u> Motion, granting <u>267</u> Motion to Approve Consent Judgment. Signed by Judge David G Campbell on 5/9/06. This is a TEXT ONLY order. No pdf is associated with it. (DGC,nvj) (Entered: 05/09/2006)