

**U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CIVIL DOCKET FOR CASE #: 2:06-cv-00830-SRB**

Equal Employment Opportunity Commission v. Lumpy, LLC
Assigned to: Judge Susan R Bolton
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 03/22/2006
Date Terminated: 05/07/2008
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Mary Joleen O'Neill**
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V.

Defendant**Lumpy LLC***doing business as*

Chilly Bombers Bar & Grill

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Date Filed	#	Docket Text
03/22/2006	<u>1</u>	COMPLAINT, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Civil Cover Sheet)(Meyer, Valerie) Modified on 3/22/2006 (ESH,). (Entered: 03/22/2006)
03/22/2006	<u>2</u>	Summons Issued as to Lumpy, LLC. (ESH,) (Entered: 03/22/2006)
03/23/2006	<u>3</u>	MOTION to Withdraw as Attorney <i>for Plaintiff</i> by Equal Employment Opportunity Commission. (Meyer, Valerie) (Entered: 03/23/2006)
03/24/2006	<u>4</u>	ORDER granting <u>3</u> Motion to Withdraw as Attorney. Attorney Valerie Leigh Meyer terminated; Mary Jo O'Neill, Sally C. Shanley and P. David Lopez remain as counsel for the Equal Opportunity Commission. Signed by Judge Susan R Bolton on 3/24/2006. (LAD) (Entered: 03/24/2006)
05/22/2006	<u>5</u>	SUMMONS Returned Executed by Equal Employment Opportunity Commission. Lumpy, LLC served on 5/17/2006, answer due 6/6/2006. (Lopez, P) (Entered: 05/22/2006)
06/27/2006	<u>6</u>	It is ordered that counsel for the plaintiff file a status report within 5 days of the date of this order concerning this case. It is further ordered that this matter will be dismissed within 5 days of the date of this order if counsel fails to file a status report. Signed by Judge Susan R Bolton on 6/27/06. (SRB) (Entered: 06/27/2006)
06/30/2006	<u>7</u>	STATUS REPORT by Equal Employment Opportunity Commission. (Shanley, Sally) (Entered: 06/30/2006)
07/05/2006	<u>8</u>	MOTION for Extension of Time File Answer by Lumpy, LLC. (Catanese, David) (Entered: 07/05/2006)
07/07/2006	<u>9</u>	ORDER granting <u>8</u> Defendant's Motion for Extension of Time to file its Answer. Answer due: 7/15/06 Signed by Judge Susan R Bolton on 7/7/06. (SRB) (Entered: 07/07/2006)
07/14/2006	<u>10</u>	ANSWER to Complaint with Jury Demand by Lumpy, LLC.(Catanese, David) (Entered: 07/14/2006)

07/19/2006	<u>11</u>	ORDER setting Rule 16 Scheduling Conference for 8/28/06 at 10:15 a.m. before Judge Susan R Bolton. Signed by Judge Susan R Bolton on 7/19/06. (SRB) (Entered: 07/19/2006)
08/22/2006	<u>12</u>	REPORT re: Rule 26(f) Planning Meeting by Equal Employment Opportunity Commission, Lumpy, LLC. (Lopez, P) (Entered: 08/22/2006)
08/28/2006	<u>13</u>	Minute Entry for proceedings held before Judge Susan R Bolton: Scheduling Conference held on 8/28/2006. Deadlines discussed and entered. Formal Order to follow. A copy of the Joint Proposed Pretrial Order is provided to counsel this date. At the request of counsel, Magistrate Judge Mark E. Aspey having been randomly drawn, IT IS ORDERED referring this matter to Magistrate Judge Aspey for the purpose of conducting a civil settlement conference. (Court Reporter Kim Moll) (MAW) (Entered: 08/28/2006)
08/29/2006	<u>14</u>	SCHEDULING ORDER issued. Discovery due by 5/4/2007. Dispositive motions due by 8/17/2007. Proposed Pretrial Order due by 1/21/2008. Final Pretrial Conference set for 1/28/2008 10:00 AM before Judge Susan R Bolton. Jury Trial set for 2/12/2008 09:00 AM before Judge Susan R Bolton. Signed by Judge Susan R Bolton on 8/28/06. (SRB) (Entered: 08/29/2006)
09/13/2006	<u>15</u>	Notice re Service of Plaintiff's Initial Disclosure and First Supplemental Disclosure by Equal Employment Opportunity Commission (Lopez, P) (Entered: 09/13/2006)
11/13/2006	<u>16</u>	Notice re Service of First Discovery Requests to Defendant by Equal Employment Opportunity Commission (Lopez, P) (Entered: 11/13/2006)
11/13/2006	<u>17</u>	ORDER Settlement Conference set for 1/11/2007 10:00 AM in Suite 200, 123 North San Francisco Street, Flagstaff, AZ 86001 before Magistrate Judge Mark E Aspey. Signed by Judge Mark E Aspey on 11/13/06. (MEA,ps) (Entered: 11/13/2006)
12/19/2006	18	Due to scheduling conflicts; IT IS ORDERED the Settlement Conference, presently set for 1/11/07 at 10:00 AM is VACATED and RESET for 1/18/07 at 10:00 AM. (MEA,ps)(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 12/19/2006)
12/27/2006	<u>19</u>	NOTICE of Appearance by Michelle Tamara Deutsch on behalf of Equal Employment Opportunity Commission (Deutsch, Michelle) (Entered: 12/27/2006)
01/19/2007	20	Minute Entry. Proceedings held before Judge Mark E Aspey : The parties and counsel appeared at Settlement Conference held on 1/18/2007. Settlement was not reached in this matter and it is referred back to Judge Bolton for further proceedings. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MEA,ps) (Entered: 01/19/2007)
02/09/2007	21	Minute Order: Discovery Dispute Hearing set on 3/5/07 at 10:00 AM before Judge Susan R Bolton. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAW) (Entered: 02/09/2007)
03/05/2007	<u>23</u>	Minute Entry. Proceedings held before Judge Susan R Bolton: Discovery Dispute Hearing held on 3/5/07 at the request of plaintiff's counsel. Discussion held. Due to defense counsel's response to plaintiff's counsel, the Court notes the defendant is no longer maintaining that any pay disparity was as a result of additional benefits plaintiff received in the way of health care. IT IS ORDERED directing defense counsel to produce by 3/31/07 all outstanding sales receipts. If they are not produced, defendant will be precluded from raising the disparity in sales as an issue in the case. (Court Reporter Kim Moll)(MAW) (Entered: 03/06/2007)
03/06/2007	<u>22</u>	STIPULATION on Extension of Time to Disclose Witnesses by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Deutsch, Michelle) (Entered: 03/06/2007)
03/08/2007	<u>24</u>	ORDER re <u>22</u> Granting parties STIPULATION on Extension of Time to Disclose Witnesses by Equal Employment Opportunity Commission. IT IS HEREBY ORDERED granting Plaintiff an extension of time through and including 4/16/07, in which to disclose the identity of all persons who may be used at trial to present evidence. Signed by Judge Susan R Bolton on 3/8/07. (LCF) (Entered: 03/08/2007)

04/02/2007	<u>25</u>	NOTICE of Deposition of John Cook, filed by Equal Employment Opportunity Commission. (Lopez, P) (Entered: 04/02/2007)
04/06/2007	<u>26</u>	MOTION for Reconsideration re Motion for Clarification and Reconsideration by Lumpy, LLC. (Catanese, David) (Entered: 04/06/2007)
04/10/2007	<u>27</u>	Notice re Service of Second Supplemental Disclosure by Equal Employment Opportunity Commission (Deutsch, Michelle) (Entered: 04/10/2007)
04/11/2007	<u>28</u>	ORDER granting in part and denying in part <u>26</u> Granting Defendant Notice of Clarification and Denying Motion for Reconsideration. Signed by Judge Susan R Bolton on 4/11/07.(LCF) (Entered: 04/11/2007)
04/11/2007	<u>29</u>	MOTION for Reconsideration re Motion for Reconsideration by Lumpy, LLC. (Catanese, David) (Entered: 04/11/2007)
04/18/2007	<u>30</u>	Notice re Service of Third Supplemental Disclosure by Equal Employment Opportunity Commission (Deutsch, Michelle) (Entered: 04/18/2007)
04/19/2007	<u>31</u>	NOTICE of Deposition of Jeff Majerle, filed by Equal Employment Opportunity Commission. (Deutsch, Michelle) (Entered: 04/19/2007)
04/19/2007	<u>32</u>	NOTICE of Deposition of Weslie McDowell, filed by Equal Employment Opportunity Commission. (Deutsch, Michelle) (Entered: 04/19/2007)
04/19/2007	<u>33</u>	NOTICE of Deposition of Patrick Zacek, filed by Equal Employment Opportunity Commission. (Deutsch, Michelle) (Entered: 04/19/2007)
04/24/2007	<u>34</u>	ORDER re <u>29</u> MOTION for Reconsideration re Motion for Reconsideration by Lumpy, LLC. IT IS ORDERED that Plaintiff file a response to Defendant's Motion for Reconsideration within 10 days of the date of this order. Defendant may file a reply. Signed by Judge Susan R Bolton on 4/24/07. (LCF) (Entered: 04/24/2007)
05/02/2007	<u>35</u>	MOTION for Extension of Time by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order Granting Extension of Time)(Deutsch, Michelle) (Entered: 05/02/2007)
05/04/2007	<u>36</u>	RESPONSE to Motion re <u>29</u> MOTION for Reconsideration re Motion for Reconsideration filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Defendant's Response to Plaintiff's First Set of Interrogatories# <u>2</u> Exhibit Defendant's Response to Plaintiff's First Request for Production)(Deutsch, Michelle) (Entered: 05/04/2007)
05/07/2007	<u>37</u>	Notice re Service of Fourth Supplemental Disclosure by Equal Employment Opportunity Commission (Deutsch, Michelle) (Entered: 05/07/2007)
05/08/2007	<u>38</u>	RESPONSE to Motion re <u>35</u> MOTION for Extension of Time filed by Lumpy, LLC. (Catanese, David) (Entered: 05/08/2007)
05/14/2007	<u>39</u>	ORDER granting <u>35</u> Plaintiff Motion for Extension of Time, to and including 7/3/07, solely for the purpose of deposing Jeff Majerle. Signed by Judge Susan R Bolton on 5/14/07.(LCF) (Entered: 05/14/2007)
05/31/2007	<u>40</u>	AMENDED DOCUMENT by Equal Employment Opportunity Commission. Amendment to <u>31</u> Notice of Deposition of <i>Jeff Majerle</i> . (Deutsch, Michelle) (Entered: 05/31/2007)
06/01/2007	<u>41</u>	ORDER denying <u>29</u> Defendant's Motion for Reconsideration. Signed by Judge Susan R Bolton on 6/1/07.(LCF) (Entered: 06/01/2007)
06/14/2007	<u>42</u>	MOTION for Reconsideration re Order dated June 1, 2007 (<i>DKT No. 41</i>) and Notice of Clarification by Equal Employment Opportunity Commission. (Deutsch, Michelle) (Entered: 06/14/2007)
06/18/2007	<u>43</u>	ORDER denying <u>42</u> Plaintiff's Motion for Reconsideration. The Court will not issue any further orders on this discovery dispute. Signed by Judge Susan R Bolton on 6/18/07.(LCF) (Entered: 06/18/2007)
08/17/2007	<u>44</u>	First MOTION for Summary Judgment by Lumpy, LLC. (Catanese, David) (Entered: 08/17/2007)

08/17/2007	<u>45</u>	STATEMENT of Facts by Lumpy, LLC. (Attachments: # <u>1</u> Exhibit Exhibits 1–3 to Defendant's Separate Statement of Facts# <u>2</u> Exhibit Exhibits 4–14 to Defendant's Separate Statement of Facts)(Catanese, David) Modified on 8/22/2007 (SAT). INCORRECT EVENT TYPE SELECTED. THIS EVENT HAS BEEN MODIFIED FROM "MOTION" TO "STATEMENT". (Entered: 08/17/2007)
08/20/2007	<u>46</u>	STATEMENT of Facts in Support of Motion for Summary Judgment by Lumpy, LLC. (Attachments: # <u>1</u> Exhibit Exhibits 1–3 to Defendant's Statement of Facts# <u>2</u> Exhibit Exhibits 4–14 to Defendant's Statement of Facts)(Catanese, David) Modified on 8/22/2007 (SAT). INCORRECT EVENT TYPE SELECTED. THIS ENTRY HAS BEEN MODIFIED FROM "MOTION" TO "STATEMENT". (Entered: 08/20/2007)
08/20/2007	<u>47</u>	Joint MOTION for Extension of Time For Plaintiff to Respond to Defendant's Motion for Summary Judgment by Equal Employment Opportunity Commission, Lumpy, LLC. (Attachments: # <u>1</u> Text of Proposed Order Granting Joint Motion for Extension of Time for Plaintiff to Respond to Defendant's Motion for Summary Judgment)(Deutsch, Michelle) (Entered: 08/20/2007)
08/21/2007	<u>48</u>	ORDER re <u>47</u> Joint MOTION for Extension of Time For Plaintiff to Respond to Defendant's Motion for Summary Judgment – that the Joint Stipulation for Extension of Time will be denied within 3 days of the date of this order if counsel does not comply with the ECF Administrative Policies and Procedures Manual, Page 11, Section G, specifically, subparagraph 1b. Signed by Judge Susan R Bolton on 8/21/07. (KMG) (Entered: 08/21/2007)
08/22/2007	<u>49</u>	NOTICE TO FILER OF DEFICIENCY re <u>45</u> First MOTION for Summary Judgment <i>Separate Statement of Facts</i> filed by Lumpy, LLC, <u>46</u> First MOTION for Summary Judgment <i>Separate Statement of Facts in Support of Motion for Summary Judgment</i> filed by Lumpy, LLC. Description of deficiency: Incorrect document type selected. The correct event is Statement and it is found in the Other Documents menu. (SAT) (Entered: 08/22/2007)
08/22/2007	<u>50</u>	ORDER granting Plaintiff's <u>47</u> Motion for Extension of Time to file its Response to Defendant's Motion for Summary Judgment until October 1, 2007. Signed by Judge Susan R Bolton on 8/22/07.(CLB) (Entered: 08/22/2007)
08/27/2007	<u>51</u>	STATEMENT of Defendant's Statement of Facts in Support of Motion for Summary Judgment re <u>44</u> First MOTION for Summary Judgment by Defendant Lumpy, LLC. (Attachments: # <u>1</u> Exhibit Exhibits 1–3 to Defendant's Statement of Facts in Support of Motion for Summary Judgment# <u>2</u> Exhibit Exhibits 4–14 to Defendant's Statement of Facts in Support of Motion for Summary Judgment)(Catanese, David) (Entered: 08/27/2007)
09/10/2007	<u>52</u>	Minute Order: Motion Hearing set on 10/29/07 at 10:00AM before Judge Susan R Bolton re: <u>44</u> First MOTION for Summary Judgment. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MAW) (Entered: 09/10/2007)
09/14/2007	<u>53</u>	STIPULATION for Extension of Time to Respond to Motion for Summary Judgment by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Lopez, P) (Entered: 09/14/2007)
09/25/2007	<u>54</u>	ORDER re <u>53</u> Stipulation for Extension of Time to Respond to Motion for Summary Judgment, Pla is granted an extension to file its Response until 10/10/07. Signed by Judge Susan R Bolton on 09/25/07. (ESL) (Entered: 09/25/2007)
10/10/2007	<u>55</u>	RESPONSE in Opposition re <u>44</u> First MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Lopez, P) (Entered: 10/10/2007)
10/10/2007	<u>56</u>	RESPONSE in Opposition re <u>45</u> First MOTION for Summary Judgment <i>Separate Statement of Facts</i> filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> # <u>2</u>)(Lopez, P) (Entered: 10/10/2007)
10/10/2007	<u>57</u>	RESPONSE in Opposition re <u>45</u> First MOTION for Summary Judgment <i>Separate Statement of Facts</i> RULE 56.1(b) RESPONSE filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u>)(Lopez, P) (Entered: 10/10/2007)
10/25/2007	<u>58</u>	REPLY to Response to Motion re <u>44</u> First MOTION for Summary Judgment filed by Lumpy, LLC. (Attachments: # <u>1</u> Exhibit Exhibts to Reply)(Catanese, David) (Entered: 10/25/2007)

		10/25/2007)
10/29/2007	<u>59</u>	Minute Entry. Proceedings held before Judge Susan R Bolton: Hearing held on 10/29/07 re: Defendant's Motion for Summary Judgment <u>44</u> . Argument presented. IT IS ORDERED taking under advisement <u>44</u> Defendant's Motion for Summary Judgment.(Court Reporter Patricia Lyons.)(MAW) (Entered: 10/29/2007)
01/17/2008	<u>60</u>	ORDER: On the Court's Own Motion, IT IS ORDERED continuing Pretrial Conference from January 28, 2008, to February 11, 2008, at 11:00 a.m. The Joint Proposed Pretrial Order shall be filed by February 4, 2008. IT IS FURTHER ORDERED continuing Jury Trial from February 12, 2008, to February 19, 2008, at 9:00 a.m. Signed by Judge Susan R Bolton on 1/17/08. (MAW) (Entered: 01/17/2008)
02/01/2008	<u>61</u>	ORDER granting in part and denying in part <u>44</u> Defendant's Motion for Summary Judgment. Signed by Judge Susan R Bolton on 2/1/08.(MAW) (Entered: 02/01/2008)
02/04/2008	<u>62</u>	Joint MOTION for Extension of Time to Extend Deadline on Joint Proposed Pretrial Order and Final Pretrial Conference by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Lopez, P) (Entered: 02/04/2008)
02/04/2008	<u>63</u>	ORDER granting in part and denying in part <u>62</u> Joint Motion for Extension of Time. IT IS ORDERED that Plaintiff and Defendant are granted an extension to file the Joint Proposed Final Pretrial Order until Thursday, February 7, 2008, at 5:00 p.m. IT IS FURTHER ORDERED affirming the Pretrial Conference of February 11, 2008 at 11:00 a.m. and the trial date of February 19, 2008 at 9:00 a.m. Signed by Judge Susan R Bolton on 2/4/08.(MAW) (Entered: 02/04/2008)
02/06/2008	<u>64</u>	Joint MOTION for Extension of Time to Continue Trial Date by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Lopez, P) (Entered: 02/06/2008)
02/07/2008	<u>65</u>	ORDER granting <u>64</u> Joint Motion to Continue the Trial Date. The February 19, 2008 trial date is vacated and will be reset at the Final Pretrial Conference. IT IS FURTHER ORDERED affirming the Final Pretrial Conference set on Monday, February 11, 2008 at 11:00 a.m. Signed by Judge Susan R Bolton on 2/7/08.(MAW) (Entered: 02/07/2008)
02/07/2008	<u>66</u>	TRIAL BRIEF by Equal Employment Opportunity Commission. (Lopez, P) (Entered: 02/07/2008)
02/07/2008	<u>67</u>	STATEMENT of of the Case (EEOC's Proposed) by Plaintiff Equal Employment Opportunity Commission. (Lopez, P) (Entered: 02/07/2008)
02/07/2008	<u>68</u>	REPORT of Joint Proposed Pretrial Order by Plaintiff Equal Employment Opportunity Commission. (Lopez, P) (Entered: 02/07/2008)
02/07/2008	<u>69</u>	Proposed Jury Instructions by Equal Employment Opportunity Commission. (Lopez, P) (Entered: 02/07/2008)
02/07/2008	<u>70</u>	Proposed Voir Dire by Equal Employment Opportunity Commission. (Lopez, P) (Entered: 02/07/2008)
02/07/2008	<u>71</u>	Proposed Verdict Form by Equal Employment Opportunity Commission. (Lopez, P) (Entered: 02/07/2008)
02/11/2008	<u>72</u>	Minute Entry. Proceedings held before Judge Susan R Bolton: Pretrial Conference held on 2/11/08. Trial date discussed. IT IS ORDERED setting Jury Trial on 3/13/08 at 09:00 AM before Judge Susan R Bolton. For reasons as stated on the record, IT IS ORDERED directing counsel to lodge an amended joint proposed pretrial order by 2/22/08. IT IS FURTHER ORDERED that proposed voir dire, proposed jury instructions, objections to jury instructions and trial memorandum shall be filed no later than 2/22/08. (Court Reporter Kim Moll)(MAW) (Entered: 02/12/2008)
02/20/2008	<u>73</u>	NOTICE of Attorney Substitution by Tin-Tin Diana Chen (Attachments: # <u>1</u> Text of Proposed Order)(Chen, Tin-Tin) (Entered: 02/20/2008)
02/21/2008	<u>74</u>	MOTION for Reconsideration of <i>Order Granting, in Part, Summary Judgment</i> by Equal Employment Opportunity Commission. (Lopez, P) (Entered: 02/21/2008)

02/22/2008	<u>75</u>	SUPPLEMENT of EEOC's Notice of Supplemental Jury Instruction and Correction of Non-Model Instructions List by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Supplement Jury Instruction Re: Spoliation)(Chen, Tin-Tin) (Entered: 02/22/2008)
02/22/2008	<u>76</u>	Notice of Filing Proposed Pretrial Order filed by Equal Employment Opportunity Commission <i>and Lumpy, LLC</i> (Lopez, P) (Entered: 02/22/2008)
02/22/2008	<u>77</u>	Proposed Voir Dire by Lumpy, LLC. (Catanese, David) (Entered: 02/22/2008)
02/22/2008	<u>78</u>	Proposed Jury Instructions by Lumpy, LLC. (Catanese, David) (Entered: 02/22/2008)
02/25/2008	<u>79</u>	ORDER denying <u>74</u> Plaintiff's Motion for Reconsideration. Signed by Judge Susan R Bolton on 2/25/08.(MAW) (Entered: 02/25/2008)
02/25/2008	<u>80</u>	OBJECTION re <u>78</u> Proposed Jury Instructions <i>filed by Defendant</i> by Plaintiff Equal Employment Opportunity Commission. (Lopez, P) (Entered: 02/25/2008)
02/26/2008	<u>81</u>	APPROVED JOINT PROPOSED PRETRIAL ORDER. Signed by Judge Susan R Bolton on 2/26/08. (MAW) (Entered: 02/26/2008)
03/13/2008	<u>82</u>	TRANSCRIPT DESIGNATION AND ORDER FORM by Equal Employment Opportunity Commission for proceedings held on March 13, 14, 18 and 19 before Judge Susan R. Bolton. (Lopez, P) (Entered: 03/13/2008)
03/13/2008	<u>83</u>	Minute Entry. Proceedings held before Judge Susan R Bolton: Jury Trial (Day 1) begun on 3/13/08. Plaintiff's challenges for cause regarding Juror #1 and Juror #22 are argued to the Court. IT IS ORDERED overruling defense counsel's objection regarding Juror #1, and Juror #1 will be excused. IT IS ORDERED denying Plaintiff's challenge for cause regarding Juror #22. Defendant's challenge for cause regarding Juror #11 is argued to the Court. IT IS ORDERED denying Defendant's challenge for cause. Trial continued to 3/14/08. (Court Reporter Gary Moll)(MAW) (Entered: 03/14/2008)
03/14/2008	<u>84</u>	Minute Entry. Proceedings held before Judge Susan R Bolton: Jury Trial (Day 2) held on 3/14/08. Trial continued to 3/18/08. (Court Reporter Gary Moll)(MAW) (Entered: 03/17/2008)
03/18/2008	<u>85</u>	Proposed Jury Instructions by Equal Employment Opportunity Commission. (Lopez, P) (Entered: 03/18/2008)
03/18/2008	<u>86</u>	MOTION for Reconsideration re Health Insurance Premiums by Lumpy, LLC. (Catanese, David) Modified on 3/19/2008 (LAD). DOCUMENT NOT IN COMPLIANCE WITH LRCiv 7.1(c). ATTORNEY NOTICED. (Entered: 03/18/2008)
03/18/2008	<u>87</u>	Minute Entry. Proceedings held before Judge Susan R Bolton: Jury Trial (Day 3) held on 3/18/08. IT IS ORDERED denying Defendant's Motion re: Title VII claim. IT IS FURTHER ORDERED taking under advisement Defendant's Motion re: punitive damages and Equal Pay Act claim. (Court Reporter Linda Schroeder (a.m.) / Elizabeth Lemke (p.m.))(MAW) (Entered: 03/19/2008)
03/19/2008	<u>88</u>	Minute Entry. Proceedings held before Judge Susan R Bolton: Jury Trial (Day 4) completed on 3/19/08. The Court having taken under advisement a portion of Defendant's oral Motion for Judgment as a Matter of Law, IT IS ORDERED denying Defendant's Motion re: Equal Pay Act claim. IT IS FURTHER ORDERED denying Defendant's Motion for Reconsideration Regarding Health Insurance Premiums <u>86</u> . (Court Reporter Linda Schroeder (a.m.) / Elizabeth Lemke (p.m.))(MAW) (Entered: 03/20/2008)
03/19/2008	<u>93</u>	Exhibit List by Lumpy, LLC.. (LAD) (Entered: 03/20/2008)
03/19/2008	<u>94</u>	Exhibit List by Equal Employment Opportunity Commission.(LAD) (Entered: 03/20/2008)
03/19/2008	<u>95</u>	Witness List by Equal Employment Opportunity Commission. (LAD) (Entered: 03/20/2008)
03/19/2008	<u>96</u>	Witness List by Lumpy, LLC. (LAD) (Entered: 03/20/2008)

03/19/2008	<u>97</u>	Preliminary Jury Instructions. (LAD) (Entered: 03/20/2008)
03/19/2008	<u>98</u>	Minute Entry. Proceedings held before Judge Susan R Bolton: Amending the Jury Trial (Day 4)on 3/19/08 <u>88</u> . Reason for Amendment: deletion of the following sentence, "IT IS ORDERED directing the Clerk of the Court to enter judgment accordingly." The balance of the minute entry remains the same. (Court Reporter Linda Schroeder (a.m.) / Elizabeth Lemke (p.m.)(MAW) (Entered: 03/20/2008)
03/19/2008	<u>99</u>	Final Jury Instructions. (LAD) (Entered: 03/20/2008)
03/19/2008	<u>101</u>	Jury Question During Trial. (LAD) (Entered: 03/20/2008)
03/19/2008	<u>102</u>	REDACTED JURY VERDICTS. (LAD) (Entered: 03/20/2008)
03/19/2008	<u>103</u>	Sealed Document: Judge's List. (LAD) (Entered: 03/21/2008)
03/19/2008	<u>104</u>	Sealed Document: Judge's List. (LAD) (Entered: 03/21/2008)
03/19/2008	<u>105</u>	Sealed Document: Judge's List. (LAD) (Entered: 03/21/2008)
03/19/2008	<u>106</u>	Sealed Document: Report. (LAD) (Entered: 03/21/2008)
03/19/2008	<u>107</u>	Sealed Document: List. (LAD) (Entered: 03/21/2008)
03/19/2008	<u>108</u>	Sealed Document: Verdicts. (Attachments: # <u>1</u> , # <u>2</u> , # <u>3</u>)(LAD) (Entered: 03/21/2008)
03/20/2008	<u>89</u>	TRANSCRIPT of Proceedings re: Jury Trial Volume III held on 3/18/08 before Judge Susan R Bolton. Court Reporter: Linda Schroeder. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/10/2008. Redacted Transcript Deadline set for 4/21/2008. Release of Transcript Restriction set for 6/18/2008. (BAS,) (Entered: 03/20/2008)
03/20/2008	<u>90</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT (BAS,) (Entered: 03/20/2008)
03/20/2008	<u>91</u>	TRANSCRIPT of Proceedings re: Jury Trial Volume IV held on 3/19/08 before Judge Susan R Bolton. Court Reporter: Linda Schroeder. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/10/2008. Redacted Transcript Deadline set for 4/21/2008. Release of Transcript Restriction set for 6/18/2008. (BAS,) (Entered: 03/20/2008)
03/20/2008	<u>92</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT (BAS,) (Entered: 03/20/2008)
03/20/2008	<u>100</u>	ORDER: The jury having returned its verdict on March 19, 2008, IT IS ORDERED that counsel for Plaintiff lodge a proposed form of judgment within 10 days of the date of this order. Signed by Judge Susan R Bolton on 3/20/08. (MAW) (Entered: 03/20/2008)
04/02/2008	<u>109</u>	TRANSCRIPT DESIGNATION AND ORDER FORM by Lumpy, LLC for testimony of Christina Sedita and John Cooke during proceedings held on 3/14/08 before Judge Susan R Bolton. (BAS,) (Entered: 04/03/2008)
04/03/2008	<u>110</u>	TRANSCRIPT of Proceedings re: Jury Trial Day 1 held on 3/13/08 before Judge Susan R Bolton. Court Reporter: Gary Moll. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/24/2008. Redacted Transcript Deadline set for 5/5/2008. Release of Transcript Restriction set for 7/2/2008. (BAS,) (Entered: 04/03/2008)
04/03/2008	<u>111</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT (BAS,) (Entered: 04/03/2008)
04/03/2008	<u>112</u>	TRANSCRIPT of Proceedings re: Jury Trial Day 2 held on 3/14/08 before Judge Susan R Bolton. Court Reporter: Gary Moll. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/24/2008. Redacted Transcript Deadline set

		for 5/5/2008. Release of Transcript Restriction set for 7/2/2008. (BAS,) (Entered: 04/03/2008)
04/03/2008	<u>113</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT (BAS,) (Entered: 04/03/2008)
04/03/2008	<u>114</u>	LODGED Proposed Form of Judgment. Document to be filed by Clerk if Motion to Leave to File or Amend is granted. Filed by Equal Employment Opportunity Commission. (Lopez, P) (Entered: 04/03/2008)
04/03/2008	<u>115</u>	Notice re Lodging of Form of Judgment by Equal Employment Opportunity Commission (Lopez, P) (Entered: 04/03/2008)
04/03/2008	<u>116</u>	MOTION for Injunctive Relief and Back Pay by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Exhibits 1, 2 and 3, # <u>2</u> Text of Proposed Order Proposed Order re Injunctive Relief)(Shanley, Sally) (Entered: 04/03/2008)
04/11/2008	<u>117</u>	OBJECTION to Proposed Order and Form of Judgment filed by Lumpy, LLC. (Catanese, David) (Entered: 04/11/2008)
04/23/2008	<u>118</u>	REPLY to Response to Motion re <u>116</u> MOTION for Injunctive Relief and Back Pay filed by Equal Employment Opportunity Commission. (Lopez, P) (Entered: 04/23/2008)
05/06/2008	<u>119</u>	TRANSCRIPT of Proceedings re: Jury Trial Afternoon Session held on 3/18/08 before Judge Susan R Bolton. Court Reporter: Elizabeth A Lemke. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 5/27/2008. Redacted Transcript Deadline set for 6/6/2008. Release of Transcript Restriction set for 8/4/2008. (BAS,) (Entered: 05/06/2008)
05/06/2008	<u>120</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT (BAS,) (Entered: 05/06/2008)
05/07/2008	<u>121</u>	ORDER sustaining dft's objections to the proposed form of final judgment and denying pla's <u>116</u> Motion for Injunctive Relief and Back Pay. FURTHER ORDERED directing the Clerk to enter judgment in favor of pla and against dft on the claim of pregnancy discrimination and on the claim for violation of the Equal Pay Act. FURTHER ORDERED directing that the judgment require dft to pay the charging party, Christine Sedita, damages in the amount of \$200.00, plus interest accruing from 8/14/04 until paid in full. FURTHER ORDERED that if inquiry is made in the future that dft refrain from providing any negative information with respect to the charging party's job performance while employed by dft. Signed by Judge Susan R Bolton on 5/6/2008.(LAD) (Entered: 05/07/2008)
05/07/2008	<u>122</u>	CLERK'S JUDGMENT: IT IS THEREFORE ORDERED AND ADJUDGED that Judgment is entered in favor of Plaintiff and against Defendant on the claim of pregnancy discrimination and on the claim for violation of the Equal Pay Act. Defendant is required to pay the charging party, Christine Sedita, damages in the amount of \$200.00, plus interest accruing from August 14, 2004 until paid in full. (LAD) (Entered: 05/07/2008)
05/08/2008	<u>123</u>	ORDER RE: EXHIBITS: IT IS HEREBY ORDERED that the exhibits admitted in the above-entitled case are to be returned to counsel/agents of record. IT IS FURTHER ORDERED the parties are to remove the exhibits from the custody of the Clerk of the Court, pursuant to LRCiv 79.1, by June 9, 2008, or the Clerk may destroy or otherwise dispose of those exhibits. Signed by Judge Susan R Bolton on 5/8/08. (MAW) (Entered: 05/08/2008)
05/21/2008	<u>124</u>	APPLICATION/NOTICE of BILL OF COSTS by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Documentation for Cost)(Lopez, P) (Entered: 05/21/2008)
06/05/2008	<u>125</u>	OBJECTION re <u>124</u> Bill of Costs – Application/Notice filed by Lumpy, LLC. (Catanese, David) (Entered: 06/05/2008)
06/23/2008	<u>126</u>	Taxation of Costs in amount of \$ 3,518.22 against Defendant. Signed by Chief Deputy Michael O'Brien on 6/23/08. (BAR,) (Entered: 06/23/2008)

07/18/2008	<u>127</u>	ORDER: On May 8, 2008, the Court issued an Order directing the parties to remove the exhibits admitted at trial from the custody of the Clerk of the Court by June 9, 2008, or the Clerk may destroy or otherwise dispose of those exhibits. As of this date, neither counsel have done so. Therefore, IT IS ORDERED counsel shall pick up their exhibits by July 25, 2008, or said exhibits shall be destroyed by the Clerk of the Court. Signed by Judge Susan R Bolton on 7/18/08. (MAW) (Entered: 07/18/2008)
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