

APPEAL, CLOSED, STD

**U.S. District Court  
DISTRICT OF ARIZONA (Phoenix Division)  
CIVIL DOCKET FOR CASE #: 2:01-cv-01050-MHM**

EEOC v. Peabody Coal Company, et al  
Assigned to: Judge Mary H Murguia  
Demand: \$0  
Case in other court: Ninth Circuit, 06-17261  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 06/13/2001  
Date Terminated: 10/02/2006  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff****Equal Employment Opportunity  
Commission**

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V.

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**Intervenor**

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
06/13/2001	1	COMPLAINT FILED (MAP) (Entered: 06/19/2001)
06/26/2001	2	RETURN OF SERVICE EXECUTED (personal) summons/complaint upon Stat Agent for dft Peabody Coal Company on 6/25/01 (MAP) (Entered: 06/29/2001)
07/11/2001	3	Party elects assignment of case to district judge ; mag election form ddl satisfied 7/11/01 (MAP) (Entered: 07/13/2001)
07/13/2001	4	MINUTE ORDER that pursuant to Local Rule 1.2(e), a request has been received for a random reassignment of this case to a District Judge FURTHER ORDERED Case reassigned by random draw to Judge Mary H. Murguia All further pleadings should now list the following

		COMPLETE case number: CIV-01-1050-PHX-MHM (cc: all counsel/MHM/SLV) [4-2] (MAP) (Entered: 07/13/2001)
07/16/2001	5	STIPULATION to extend time to answer complaint [1-1] by pla, dft [5-1] (MAP) (Entered: 07/18/2001)
07/26/2001	6	MOTION to intervene by Delbert Mariano, Thomas Sahu [6-1] (KMG) (Entered: 07/27/2001)
07/31/2001	7	MOTION to Dismiss this Case by dft Peabody Coal Company [7-1] , and/or to stay this matter during the pendency of the appeal to the Ninth Circuit in Dawavendewa v. Salt River Project.. Case #00-16787 by dft Peabody Coal Company [7-2] , and/or to strike portions of the Complaint by dft Peabody Coal Company [7-3] (KMG) (Entered: 08/02/2001)
08/01/2001	8	AFFIDAVIT of Edward L. Sullivan, Jr. in support of motion to Dismiss this Case by dft Peabody Coal Company [7-1], in support of motion to stay this matter during the pendency of the appeal to the Ninth Circuit in Dawavendewa v. Salt River Project.. Case #00-16787 by dft Peabody Coal Company [7-2], in support of motion to strike portions of the Complaint by dft Peabody Coal Company [7-3] by dft Peabody Coal Company (KMG) (Entered: 08/02/2001)
08/02/2001	9	ORDER by Judge Mary H. Murguia granting stipulation to extend time until 7/31/01 to answer complaint [1-1] by pla, dft [5-1] (cc: all counsel) (KMG) (Entered: 08/02/2001)
08/06/2001	10	MINUTE ORDER setting motion to Dismiss this Case [7-1], motion to stay this matter during the pendency of the appeal to the Ninth Circuit in Dawavendewa v. Salt River Project.. Case #00-16787 [7-2] and motion to strike portions of the by dft Peabody Coal Company [7-3] at 1:30PM, 10/29/01 (cc: counsel) [10] (former emp) (Entered: 08/06/2001)
08/17/2001	11	NOTICE by intervenors of Service of Waiver and Acceptance of Service (MAP) (Entered: 08/18/2001)
08/17/2001	12	WAIVER AND ACCEPTANCE Of Service of Motion to Intervene upon Pla EEOC by intervenors (MAP) (Entered: 08/18/2001)
08/17/2001	13	RESPONSE by pla EEOC to motion to Dismiss this Case by dft Peabody Coal Company [7-1], motion to stay this matter during the pendency of the appeal to the Ninth Circuit in Dawavendewa v. Salt River Project.. Case #00-16787 by dft Peabody Coal Company [7-2], motion to strike portions of the Complaint by dft Peabody Coal Company [7-3] (REW) (Entered: 08/23/2001)
08/24/2001	14	NOTICE by intervenors Delbert Mariano, and Thomas Sahu of service of waiver and acceptance of service (KMG) (Entered: 08/27/2001)
08/24/2001	15	WAIVER of Service of summons and complaint upon dft Peabody Coal Company ; waiver sent on No Date Indicated. (KMG) (Entered: 08/27/2001)
08/30/2001	16	MOTION to exceed the page limit for doc(s) Reply in Support of Motion

		to Dismiss and/or Stay and/or Motion to Strike by dft Peabody Coal Company [16-1] (Lodged pleading at Clk's desk) (MAP) (Entered: 09/01/2001)
08/30/2001	17	RESPONSE by dft Peabody Coal Company to motion to intervene by Delbert Mariano, Thomas Sahu [6-1] (MAP) (Entered: 09/01/2001)
10/17/2001	18	MINUTE ORDER resetting motion to Dismiss this Case by dft Peabody Coal Company [7-1], motion to stay this matter during the pendency of the appeal to the Ninth Circuit in Dawavendewa v. Salt River Project.. Case #00-16787 by dft Peabody Coal Company [7-2], and motion to strike portions of the Complaint by dft Peabody Coal Company [7-3] to 1:30PNm 11/2/01 (cc: all counsel) [18] (former emp) (Entered: 10/17/2001)
10/22/2001	19	MINUTE ORDER resetting motion to Dismiss this Case by dft Peabody Coal Company [7-1], motion to stay this matter during the pendency of the appeal to the Ninth Circuit in Dawavendewa v. Salt River Project.. Case #00-16787 by dft Peabody Coal Company [7-2] and motion to strike portions of the Complaint by dft Peabody Coal Company [7-3] at 3:00PM, 11/14/01 (cc: all counsel) [19] (former emp) (Entered: 10/22/2001)
11/05/2001	20	MINUTE ORDER resetting motion to Dismiss this Case by dft Peabody Coal Company [7-1], motion to stay this matter during the pendency of the appeal to the Ninth Circuit in Dawavendewa v. Salt River Project.. Case #00-16787 by dft Peabody Coal Company [7-2], motion to strike portions of the Complaint by dft Peabody Coal Company [7] and setting motion to intervene by Delbert Mariano, Thomas Sahu [6] at 4:15PM, 1/14/02 (cc: all counsel) [20] (former emp) (Entered: 11/05/2001)
01/09/2002	21	MINUTE ENTRY before Judge Mary H. Murguia . Crt Rptr: M. SANCHEZ. By telephone: Mary Bruner, Mary Rosenthal, Todd Schlier, Ralph Vhamass. Status hearing held by telephone. Counsel withdraw all pending motions in light of recent 9CCA ruling; revised motions to be filed by 2/1/02; responses to be filed according to the rules. (motion to exceed the page limit for doc(s) Reply in Support of Motion to Dismiss and/or Stay and/or Motion to Strike by dft Peabody Coal Company [16-1] (Lodged pleading at Clk's desk) moot; motion to Dismiss this Case by dft Peabody Coal Company [7-1], motion to stay this matter during the pendency of the appeal to the Ninth Circuit in Dawavendewa v. Salt River Project.. Case #00-16787 by dft Peabody Coal Company [7-2], motion to strike portions of the Complaint by dft Peabody Coal Company [7-3], motion to intervene by Delbert Mariano, Thomas Sahu [6] withdrawn) [cc: all cns] [21] (former emp) (Entered: 01/10/2002)
01/10/2002	22	NOTICE OF WITHDRAWAL by dft Peabody Coal Company of motion to Dismiss this Case by dft Peabody Coal Company [7-1] [7-1], of motion to stay this matter during the pendency of the appeal to the Ninth Circuit in Dawavendewa v. Salt River Project.. Case #00-16787 by dft Peabody Coal Company [7-2] [7-2], of motion to strike portions of the Complaint by dft Peabody Coal Company [7-3] [7-3] (KMG) (Entered: 01/10/2002)

		01/11/2002)
02/01/2002	23	MOTION to Intervene as Plaintiffs [23-1] by current Intervenors Delbert Mariano and Thomas Sahu (KMG) (Entered: 02/06/2002)
02/01/2002	24	MOTION to dismiss case by dft Peabody Coal Company [24-1] , and/or to stay this action by dft Peabody Coal Company [24-2] , and/or to strike portions of the complaint [1-1] by dft Peabody Coal Company [24-3] (KMG) (Entered: 02/06/2002)
02/01/2002	25	MOTION to exceed the page limit on their Motion for Summary Judgment Pursuant to FRCP Rule 56 by dft Peabody Coal Company [25-1] (NOTE: LODGED Motion for Summary Judgment as well as accompanying LODGED Statement of Facts in Support thereof as well as LODGED Memorandum of Points and Authorities in Support thereof are all being held at docket clerks desk). (KMG) (Entered: 02/06/2002)
02/05/2002		LODGED document: Notice of Filing of Original Affidavits of Edward L. Sullivan, Jr. and Marvin O. Young attached as Exhibits A and B to the Statement of Facts in Support of its Motion for Summary Judgment by dft Peabody Coal Company (NOTE: The Statement of Facts in Support of Motion for Summary Judgment is ALSO LODGED pending a Motion to Exceed the Page Limit). (KMG) (Entered: 02/07/2002)
02/12/2002	26	STIPULATION to Extend Time for dft to file its Response to Motion to Intervene as Plaintiffs [23-1] by current Intervenors Delbert Mariano Thomas Sahu [23-1] by pla EEOC, dft Peabody Coal Company (KMG) (Entered: 02/14/2002)
02/19/2002	27	ORDER by Judge Mary H. Murguia granting stipulation to Extend Time until 2/25/02 for dft to file its Response to Motion to Intervene as Plaintiffs [23-1] by current Intervenors Delbert Mariano Thomas Sahu [23-1] by pla EEOC, dft Peabody Coal Company (cc: all counsel) (KMG) (Entered: 02/19/2002)
02/19/2002	28	RESPONSE by pla EEOC to motion to dismiss case by dft Peabody Coal Company [24-1], motion to stay this action by dft Peabody Coal Company [24-2], motion to strike portions of the complaint [1-1] by dft Peabody Coal Company [24-3] (KMG) (Entered: 02/20/2002)
02/25/2002	29	RESPONSE by dft Peabody Coal Company to motion to Intervene as Plaintiffs [23-1] by current Intervenors Delbert Mariano and Thomas Sahu (KMG) (Entered: 02/26/2002)
02/27/2002	30	STIPULATION to Extend Time for Intervenors to file Reply in Support of their Motion to Intervene as Plaintiffs [23-1] by current Intervenors Delbert Mariano and Thomas Sahu [23-1] by pla EEOC, dft Peabody Coal Company (KMG) (Entered: 02/28/2002)
03/01/2002	31	REPLY by dft Peabody Coal Company to response to motion to dismiss case by dft Peabody Coal Company [24-1], motion to stay this action by dft Peabody Coal Company [24-2], motion to strike portions of the complaint [1-1] by dft Peabody Coal Company [24-3] (KMG) (Entered:

		03/04/2002)
03/04/2002	32	ORDER by Judge Mary H. Murguia granting stipulation to Extend Time until 3/21/02 for Intervenors to file Reply in Support of their Motion to Intervene as Plaintiffs [23-1] by current Intervenors Delbert Mariano and Thomas Sahu [23-1] by pla EEOC, dft Peabody Coal Company (cc: all counsel) (KMG) (Entered: 03/04/2002)
03/21/2002	34	REPLY by Intervenors to response to motion to Intervene as Plaintiffs [23-1] by current Intervenors Delbert Mariano and Thomas Sahu (MAP) (Entered: 03/25/2002)
03/22/2002	33	MOTION to exceed the page limit for doc(s) Reply in Support of its Motion for Summary Judgment (motion for sum jgm not yet filed, lodged) by dft Peabody Coal Company [33-1] (Lodged pleading at Clk's desk) (MAP) (Entered: 03/25/2002)
03/22/2002	35	MOTION for oral argument re Motion to Intervene by intervenors [35-1] (MAP) (Entered: 03/25/2002)
03/29/2002	36	ORDER by Judge Mary H. Murguia granting motion to exceed the page limit on their Motion for Summary Judgment Pursuant to FRCP Rule 56 by dft Peabody Coal Company [25-1] (cc: all counsel) (MAP) (Entered: 03/29/2002)
03/29/2002	37	ORDER by Judge Mary H. Murguia granting motion to exceed the page limit for doc(s) Reply in Support of its Motion for Summary Judgment (motion for sum jgm not yet filed, lodged) by dft Peabody Coal Company [33-1] (cc: all counsel) (MAP) (Entered: 03/29/2002)
03/29/2002	38	RULE 56 MOTION for summary judgment by dft Peabody Coal Company [38-1] (MAP) (Entered: 03/29/2002)
03/29/2002	39	MEMORANDUM IN SUPPORT by dft Peabody Coal Company of motion for summary judgment by dft Peabody Coal Company [38-1] (MAP) (Entered: 03/29/2002)
03/29/2002	40	STATEMENT OF FACTS by dft Peabody Coal Company re motion for summary judgment by dft Peabody Coal Company [38-1] (MAP) (Entered: 03/29/2002)
03/29/2002	41	(NOTICE OF FILING ORIGINAL) AFFIDAVITS of Edward L Sullivan, Jr and Marvin O. Young in support of motion for summary judgment by dft Peabody Coal Company [38-1] by dft Peabody Coal Company (MAP) (Entered: 03/29/2002)
03/29/2002	42	RESPONSE (OPPOSITION) by pla EEOC to motion for summary judgment by dft Peabody Coal Company [38-1] (MAP) (Entered: 03/29/2002)
03/29/2002	43	MOTION to strike portions of the Stmt of Facts and Affidavits submitted by Dft in support of its motion for summary judgment by pla EEOC [43-1] (MAP) (Entered: 03/29/2002)



03/29/2002	44	RESPONSE by dft Peabody Coal Company to motion to strike portions of the Stmt of Facts and Affidavits submitted by Dft in support of its motion for summary judgment by pla EEOC [43-1] (MAP) (Entered: 03/29/2002)
03/29/2002	45	REPLY by dft Peabody Coal Company to response to motion for summary judgment by dft Peabody Coal Company [38-1] (MAP) (Entered: 03/29/2002)
04/03/2002	46	MINUTE ORDER granting motion for oral argument re Motion to Intervene by intervenors [35]. FURTHER ORDERED setting motion to Intervene as Plaintiffs [23] by current Intervenors Delbert Mariano and Thomas Sahu at 4:00PM, 8/22/02 (cc: all counsel) [46] (former emp) (Entered: 04/03/2002)
04/08/2002	48	REPLY by pla EEOC to response to motion to strike portions of the Stmt of Facts and Affidavits submitted by Dft in support of its motion for summary judgment by pla EEOC [43-1] (KMG) (Entered: 04/10/2002)
04/09/2002	47	MINUTE ORDER setting motion to strike portions of the Stmt of Facts and Affidavits submitted by Dft in support of its motion for summary judgment by pla EEOC [43], motion for summary judgment by dft Peabody Coal Company [38], motion to dismiss case by dft Peabody Coal Company [24-1], motion to stay this action by dft Peabody Coal Company [24-2], motion to strike portions of the complaint [1-1] by dft Peabody Coal Company [24-3] and motion to Intervene as Plaintiffs [23-1] by current Intervenors Delbert Mariano and Thomas Sahu at 1:30PM, 9/20/02; hearing previously set for 8/22/02 is vacated. (cc: all counsel) [47] (former emp) (Entered: 04/09/2002)
04/17/2002	49	MOTION to Strike pla's Reply to Response to Motion to strike portions of the Stmt of Facts and Affidavits submitted by Dft in support of its motion for summary judgment [48-1] by dft Peabody Coal Company [49-1] (KMG) (Entered: 04/18/2002)
04/17/2002	50	MOTION to Extend Time (Enlargement) to File Reply in Support of pla's Motion to Strike by pla EEOC [50-1] (NOTE: Reply has been filed on 4/8/02 as doc.#48) (KMG) (Entered: 04/18/2002)
04/24/2002	51	RESPONSE by pla EEOC to motion to Strike pla's Reply to Response to Motion to strike portions of the Stmt of Facts and Affidavits submitted by Dft in support of its motion for summary judgment [48-1] by dft Peabody Coal Company [49-1] (KMG) (Entered: 04/29/2002)
04/29/2002	52	ORDER by Judge Mary H. Murguia granting pla's Motion to Extend Time (Enlargement) until 4/8/02 for EEOC to File a Reply in Support of pla's Motion to Strike by pla EEOC [50-1] (NOTE: Reply has been filed on 4/8/02 as doc.#48) (cc: all counsel) (KMG) (Entered: 04/29/2002)
04/29/2002	53	RESPONSE by dft Peabody Coal Company to motion to Extend Time (Enlargement) to File Reply in Support of pla's Motion to Strike by pla EEOC [50-1] (NOTE: Reply has been filed on 4/8/02 as doc.#48) [50-1] (KMG) (Entered: 04/30/2002)

05/01/2002	54	NOTICE by dft Peabody Coal Company of Supplemental Authority re EEOC's Failure to Conciliate (KMG) (Entered: 05/03/2002)
06/25/2002	55	MINUTE ORDER Due to the court's calendar, hearing on motion to strike portions of the Stmt of Facts and Affidavits submitted by Dft in support of its motion for summary judgment by pla EEOC [43], motion for summary judgment by dft Peabody Coal Company [38], motion to dismiss case by dft Peabody Coal Company [24-1], motion to stay this action by dft Peabody Coal Company [24-2], motion to strike portions of the complaint [1-1] by dft Peabody Coal Company [24-3] and motion to Intervene as Plaintiffs [23] by current Intervenors Delbert Mariano and Thomas Sahu set for 9/20/02 is vacated and RESET to 1:00PM, 9/23/02 (cc: all counsel) [55] (former emp) (Entered: 06/25/2002)
07/09/2002	56	STIPULATION that the Amendments and related supplements to Coal Mining Leases Nos. 12-20-1450-5743, 14-20-0603-8580, 14-20-0603-9910 between the Navajo Nation and Dft did not change, or address, the hiring preferences outlined in those leases by pla, dft (SAT) (Entered: 07/11/2002)
07/23/2002	57	CORRECTED STIPULATION That the Amendments and related supplements to Coal Mining Leases Nos. 14-20-0603-8580, 14-20-0603-9910 between Navajo Nation and dft did not change, or address, the hiring preferences outlined in those leases. (NOTE: Per letter ((now filed left)) from Mary E. Bruno ((Greenberg and Traurig)) which states "for the purposes of this litigation, the stipulation filed previously [doc.#56] will have no further relevance and is superseded by this new Corrected Stipulation). by pla EEOC, dft Peabody Coal Company (KMG) (Entered: 07/25/2002)
09/23/2002	58	MINUTE ENTRY before Judge Mary H. Murguia . Crt Rptr: M. Sanchez. Present: Ralph Chamness and Katherine Kruse for pla; Mary Bruno for dft; Todd Schleier for intplas. Motion hearing held; taking under advisement on 9/23/02 the motion to strike portions of the Stmt of Facts and Affidavits submitted by Dft in support of its motion for summary judgment by pla EEOC [43-1], taking under advisement on 9/23/02 the motion for summary judgment by dft Peabody Coal Company [38-1], taking under advisement on 9/23/02 the motion to dismiss case by dft Peabody Coal Company [24-1], taking under advisement on 9/23/02 the motion to stay this action by dft Peabody Coal Company [24-2], taking under advisement on 9/23/02 the motion to strike portions of the complaint [1-1] by dft Peabody Coal Company [24-3], taking under advisement on 9/23/02 the motion to Intervene as Plaintiffs [23-1] by current Intervenors Delbert Mariano and Thomas Sahu [58] (former emp) (Entered: 09/23/2002)
09/26/2002	59	ORDER by Judge Mary H. Murguia that dft's Motion for summary judgment [38-1] is Granted; FURTHER ORDERED that pla's Motion to strike portions of the Stmt of Facts and Affidavits submitted by Dft in support of its motion for summary judgment [43-1] is Denied; FURTHER ORDERED that dft's Motion to Strike pla's Reply to Response to Motion to strike portions of the Stmt of Facts and Affidavits

		submitted by Dft in support of its motion for summary judgment by dft Peabody Coal Company [49-1] is Denied; FURTHER ORDERED that dft's Motion to Dismiss and/or Stay and/or Motion to Strike [24] is Vacated As Moot. FURTHER ORDERED that Delbert Mariano and Thomas Sahu's Motion to Intervene as plas [23] is Vacated As Moot. FURTHER ORDERED that the Clerk shall enter Judgment accordingly. to dismiss case (cc: all counsel) (KMG) (Entered: 09/26/2002)
09/26/2002	60	JUDGMENT: [59-1] This Court, having found this case presents a nonjusticiable political issue, and is dismissed on this alternative ground. Defendant's Motion for Summary Judgment being granted, this action and Complaint are hereby dismissed. (cc: all counsel) (KMG) (Entered: 09/26/2002)
11/21/2002	61	NOTICE OF APPEAL by pla EEOC from District Court judgment [60-1], order filed [59-2] (cc: 9CCA/All Counsel/judge) (former emp) Modified on 11/26/2002 (Entered: 11/22/2002)
11/26/2002		APPEAL PACKET forwarded to all parties and 9th Circuit re: NOTICE OF APPEAL [61-1] (REW) (Entered: 11/26/2002)
12/12/2002	62	Transcript Designation and Ordering Form by pla EEOC re NOTICE OF APPEAL [61-1]; ordering transcript for hearing of 9/23/02 (REW) (Entered: 12/16/2002)
12/18/2002		Notification by 9th Circuit of Appellate Docket Number 02-17305 re NOTICE OF APPEAL [61-1] (REW) (Entered: 12/18/2002)
01/06/2003	63	Transcript Designation and Ordering Form by appellee/dft Peabody Coal Company; ordering transcript for hearing of 9/23/02 (REW) (Entered: 01/09/2003)
01/08/2003	64	Court Reporter's Transcript of Proceedings of motions hearing by Court Reporter: Merilyn Sanchez for the following date(s): 9/23/02 re NOTICE OF APPEAL [61-1] (REW) Modified on 01/09/2003 (Entered: 01/09/2003)
01/08/2003		Certificate of Record Transmitted to 9th Circuit NOTICE OF APPEAL [61-1] (REW) (Entered: 01/09/2003)
02/23/2004		Clerk's record on appeal transmitted to 9th Circuit re NOTICE OF APPEAL [61-1]; 2 volumes clerk's record; 1 transcript (#64); 1 bulkie document (#7) in one expando (REW) (Entered: 02/23/2004)
03/08/2004		LETTER OF TRANSMITTAL from 9th Circuit acknowledging receipt of District Court record. (re: NOTICE OF APPEAL [61-1] ) (REW) (Entered: 03/08/2004)
03/28/2005		Original Record Returned from 9th Circuit re NOTICE OF APPEAL [61-1]; 2 volumes clerk's record; 1 transcript (#64); 1 bulky document (#7) in one expando (REW) (Entered: 03/28/2005)
06/03/2005	65	CERTIFIED COPY of 9th Circuit Mandate reversing and remanding the decision of the District Court; we do not decide the merits of the EEOC's

		Title VII claim against Peabody today; we hold simply that the Navajo Nation is a necessary party to the action and that it is feasible to join the Nation in order to effect complete relief between the parties; we also hold that the EEOC's suit does not present a non-justiciable political question; finally we reverse the district court's dismissal of the EEOC's record-keeping claim; we remand for further proceedings consistent with the opinion, re: 05-17305 [61-1] Case reopened [65-1] [65-1] (cc: all counsel/judge) (REW) (Entered: 06/03/2005)
06/06/2005	66	MINUTE ORDER: The Court ORDERS setting this matter for Status Hearing re: remand on Friday, June 24, 2005 at 3:00 p.m. before the Honorable Mary H. Murguia. (cc: all counsel) [66-2] (KSB) (Entered: 06/06/2005)
06/17/2005	67	AMENDED COMPLAINT by pla;; jury demand [1-1] ;adding dft Navajo Nation (SAT) (Entered: 06/20/2005)
06/24/2005	68	MINUTE ENTRY before Judge Mary H. Murguia. Crt Rptr: Liz Lemke. Lucila Rosas and Katherine Kruse for the plaintiff. Tod Schleier for the possible intevenors. Mary Bruno for the defendant. Status Hearing re: remand held. Discussion held. At counsel's request, the Court will set this matter for a Rule 16 Scheduling Conference once the Navajo Nation has been served. ] [68-2] (KSB) (Entered: 06/24/2005)
06/27/2005	69	RETURN OF SERVICE EXECUTED summons/complaint upon dft Peabody Coal Company on 6/22/05 in Phoenix. (KCS) (Entered: 06/28/2005)
07/18/2005	70	Notice of payment of \$176.10 in taxable costs by Peabody Western Coal Company (KCS) (Entered: 07/19/2005)
07/20/2005	71	NOTICE of Appearance by Lucila G Rosas on behalf of Equal Employment Opportunity Commission (KMG, ) (Entered: 07/21/2005)
09/12/2005	<a href="#">72</a>	SUMMONS Returned Executed by Equal Employment Opportunity Commission. Navajo Nation served on 9/8/2005, answer due 9/28/2005. (Attachments: # <a href="#">1</a> Summons to President of Navajo Nation# <a href="#">2</a> Summons to Attorney General)(Rosas, Lucila) (Entered: 09/12/2005)
09/13/2005	<a href="#">73</a>	First MOTION for Extension of Time to File Answer <i>or Otherwise Plead</i> by Navajo Nation. (Denetsosie, Louis) (Entered: 09/13/2005)
09/13/2005	<a href="#">74</a>	First MOTION for Extension of Time to File Answer <i>or Otherwise Plead</i> by Navajo Nation. (Denetsosie, Louis) (Entered: 09/13/2005)
09/14/2005	<a href="#">75</a>	RESPONSE in Opposition re <a href="#">73</a> First MOTION for Extension of Time to File Answer <i>or Otherwise Plead</i> , <a href="#">74</a> First MOTION for Extension of Time to File Answer <i>or Otherwise Plead</i> filed by Equal Employment Opportunity Commission. (Rosas, Lucila) (Entered: 09/14/2005)
09/16/2005	<a href="#">76</a>	MOTION to Stay Proceedings Pending Petition of Writ of Certiorari and Notice of Non-Opposition to the Navajo Nation's Motion for Extension of Time and Request for Status Conference by Peabody Western Coal Company. (Attachments: # <a href="#">1</a> # <a href="#">2</a> # <a href="#">3</a> # <a href="#">4</a> # <a href="#">5</a> )(Bruno, Mary) (Entered: 09/16/2005)

		09/16/2005)
09/16/2005	<a href="#">77</a>	REPLY to Response to Motion re <a href="#">74</a> First MOTION for Extension of Time to File Answer <i>or Otherwise Plead</i> filed by Navajo Nation. (Attachments: # <a href="#">1</a> Affidavit Declaration of Stewart Udall)(Denetsosie, Louis) Modified on 9/20/2005 (LSP). DOCUMENT FILED WITH INCORRECT CASE CAPTION/CASE NUMBER. (CV 01-1050 PHX-MHM) (Entered: 09/16/2005)
09/20/2005	<a href="#">78</a>	NOTICE TO FILER OF DEFICIENCY re <a href="#">76</a> MOTION to Stay Proceedings Pending Petition of Writ of Certiorari and Notice of Non-Opposition to the Navajo Nation's Motion for Extension of Time and Request for Status Conference filed by Peabody Western Coal Company. Description of deficiency: Incorrect document type selected. (LSP) (Entered: 09/20/2005)
09/21/2005	<a href="#">79</a>	ORDER granting <a href="#">74</a> Motion for Extension of Time to Answer. Navajo Nation answer due 11/14/2005. Signed by Judge Mary H Murguia on 09/20/05. (MHM) (Entered: 09/21/2005)
09/29/2005	<a href="#">80</a>	RESPONSE in Opposition re <a href="#">76</a> MOTION to Stay Proceedings Pending Petition of Writ of Certiorari and Notice of Non-Opposition to the Navajo Nation's Motion for Extension of Time and Request for Status Conference filed by Equal Employment Opportunity Commission. (Rosas, Lucila) (Entered: 09/29/2005)
10/04/2005	<a href="#">81</a>	ORDER granting <a href="#">76</a> Motion to Stay. Signed by Judge Mary H Murguia on 10/03/05. (MHM) (Entered: 10/04/2005)
10/19/2005	<a href="#">82</a>	MOTION for Admission Pro Hac Vice by Paul E Frye on behalf of Navajo Nation. (BAS, ) (Entered: 10/24/2005)
10/19/2005	<a href="#">84</a>	MOTION for Admission Pro Hac Vice by Lisa M Enfield on behalf of Navajo Nation. (BAS, ) (Entered: 10/24/2005)
10/24/2005	<a href="#">83</a>	ORDER pursuant to General Order 05-25 granting <a href="#">82</a> Motion for Admission Pro Hac Vice.Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. (BAS, )(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 10/24/2005)
10/24/2005	<a href="#">85</a>	ORDER pursuant to General Order 05-25 granting <a href="#">84</a> Motion for Admission Pro Hac Vice.Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. (BAS, )(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 10/24/2005)
02/02/2006	<a href="#">86</a>	Minute Order: Counsel having notified the court via telephone that Defendant's petition for writ of certiorari has been denied, the Court

		ORDERS that Defendant Navajo Nations initial pleading shall be due on February 13, 2006. [This is a TEXT ONLY entry. There is no.pdf document attached.](KSP) (Entered: 02/02/2006)
02/09/2006	<a href="#">87</a>	MOTION for Leave to File Excess Pages <i>for Motion to Dismiss and Supporting Memorandum</i> by Navajo Nation. (Attachments: # <a href="#">1</a> Exhibit Proposed Motion to Dismiss and Supporting Memorandum# <a href="#">2</a> Exhibit Proposed Motion to Dismiss and Supporting Memorandum)(Frye, Paul) (Entered: 02/09/2006)
02/17/2006	<a href="#">88</a>	ORDER granting <a href="#">87</a> Motion for Leave to File Excess Pages. Signed by Judge Mary H. Murguia on 02/16/06. (MHM) (Entered: 02/17/2006)
02/17/2006	<a href="#">89</a>	MOTION to Dismiss Case <i>For Lack of Subject Matter Jurisdiction, Lack of Personal Jurisdiction, Insufficiency of Process, Failure to State a Claim, Lack of Capacity, Failure to Exhaust Tribal Remedies and Failure to Join the United States as an Indispensable Party and Memorandum in Support Thereof</i> by Navajo Nation. (Attachments: # <a href="#">1</a> Exhibit to Motion to Dismiss)(Frye, Paul) (Entered: 02/17/2006)
03/09/2006	<a href="#">90</a>	First MOTION for Extension of Time <i>to file response to motion to dismiss</i> , First MOTION for Leave to File Excess Pages for response to motion to dismiss by Equal Employment Opportunity Commission. (Kruse, Katherine) (Entered: 03/09/2006)
03/10/2006	<a href="#">91</a>	MOTION for Extension of Time To File Response to Navajo Nation's Motion to Dismiss and Increase of Page Limit for Peabody Western Coal Company's Response by Peabody Western Coal Company. (Bruno, Mary) (Entered: 03/10/2006)
03/20/2006	<a href="#">92</a>	IT IS HEREBY ORDERED granting PWCC a thirty-day extension to respond to the Navajo Nation's Motion to Dismiss, up to and including April 21, 2006 and granting an increase in the page limits for PWCC's Response to Navajo Nation's Motion to Dismiss, up to forty pages re <a href="#">91</a> .Signed by Judge Mary H Murguia on 3/16/06. (TLJ) (Entered: 03/20/2006)
03/21/2006	<a href="#">93</a>	ORDER granting <a href="#">90</a> Motion for Extension of Time, granting <a href="#">90</a> Motion for Leave to File Excess Pages filed by EEOC. Signed by Judge Mary H Murguia on 3/21/06. (KSP) (Entered: 03/21/2006)
03/21/2006	<a href="#">94</a>	NOTICE of Attorney Substitution by Sally Clifford Shanley (Shanley, Sally) (Entered: 03/21/2006)
04/13/2006	<a href="#">95</a>	MOTION for Extension of Time by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order # <a href="#">2</a> Affidavit) (Kruse, Katherine) (Entered: 04/13/2006)
04/14/2006	<a href="#">96</a>	OBJECTION re <a href="#">95</a> MOTION for Extension of Time <i>and Opposition to Plaintiff EEOC's Request for Expedited Ruling</i> by Defendants Peabody Western Coal Company, Peabody Western Coal Company filed by Peabody Western Coal Company, Peabody Western Coal Company. (Bruno, Mary) (Entered: 04/14/2006)

04/17/2006	<a href="#">97</a>	RESPONSE in Opposition re <a href="#">95</a> MOTION for Extension of Time <i>Opposition of the Navajo Nation to Plaintiff EEOC's Request for Expedited Ruling</i> filed by Navajo Nation. (Frye, Paul) (Entered: 04/17/2006)
04/19/2006	<a href="#">98</a>	Joint MOTION to Vacate <i>April 21 Deadline to Respond to Navajo Nation's Motion to Dismiss (Unopposed)</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Kruse, Katherine) (Entered: 04/19/2006)
04/20/2006	99	Minute Order: The Court is in receipt of the motions for extension of time and/or vacate deadlines. The Court ORDERS setting this matter for Status Hearing on Tuesday, April 25, 2006 at 3:00 p.m. before Judge Mary H. Murguia, at which time all pending motions will be discussed. Counsel shall be physically present. [This is a TEXT ONLY entry. There is no.pdf document attached.](KSP) (Entered: 04/20/2006)
04/24/2006	100	ORDER entered by Judge Mary H. Murguia on 4/24/06. IT IS ORDERED granting <a href="#">98</a> Motion to Vacate April 21, 2006 response deadline. IT IS FURTHER ORDERED vacating the Status Hearing currently set on 4/25/06. Once Plaintiff's Motion for Continuance to Engage in Discovery [doc. 92] is fully briefed, the Court will issue a minute order resetting the hearing or issue an order ruling on the motion. The April 21, 2006 deadline governing EEOC and Peabody Coal's Response to the Navajo Nation's Motion to Dismiss is currently stayed pending resolution of Plaintiff's Motion for Continuance to Engage in Discovery. [This is a TEXT ONLY entry. There is no.pdf document attached.](KSP) (Entered: 04/24/2006)
04/28/2006	<a href="#">101</a>	RESPONSE to Motion re <a href="#">95</a> MOTION for Extension of Time <i>and Motion for Continuance to Engage in Discovery</i> filed by Peabody Western Coal Company. (Attachments: # <a href="#">1</a> )(Bruno, Mary) (Entered: 04/28/2006)
04/28/2006	<a href="#">102</a>	RESPONSE in Opposition re <a href="#">95</a> MOTION for Extension of Time and Continuance to Engage in Discovery filed by Navajo Nation. (Frye, Paul) Modified on 5/1/2006 (MAP, ). DOCUMENT IS UNSIGNED. ATTORNEY NOTICED TO REFILE. (Entered: 04/28/2006)
05/01/2006	<a href="#">103</a>	NOTICE TO FILER OF DEFICIENCY re <a href="#">102</a> Response in Opposition to Motion filed by Navajo Nation. Description of deficiency: Document Does Not Contain Signature. (MAP, ) (Entered: 05/01/2006)
05/01/2006	<a href="#">104</a>	RESPONSE in Opposition re <a href="#">95</a> MOTION for Extension of Time <i>and Continuance to Engage in Discovery</i> filed by Navajo Nation. (Frye, Paul) (Entered: 05/01/2006)
05/08/2006	<a href="#">105</a>	REPLY to Response to Motion re <a href="#">95</a> MOTION for Extension of Time <i>Reply to Response by Navajo Nation</i> filed by Equal Employment Opportunity Commission. (Kruse, Katherine) (Entered: 05/08/2006)
05/08/2006	<a href="#">106</a>	REPLY to Response to Motion re <a href="#">95</a> MOTION for Extension of Time <i>Reply to Response of Peabody Western Coal Company</i> filed by Equal

		Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit Declaration of Katherine Kruse)(Kruse, Katherine) (Entered: 05/08/2006)
05/08/2006	<a href="#">107</a>	NOTICE of Attorney Substitution by Karen E Nutter (Nutter, Karen) (Entered: 05/08/2006)
05/22/2006	<a href="#">108</a>	ORDER granting in part and denying in part <a href="#">95</a> Motion for Extension of Time. The EEOC's Motion is granted to the extent that it seeks a continuance to engage in discovery. The Motion is denied to the extent that the EEOC seeks 90 days to engage in discovery as well as an additional 30 days to file its Response to the Navajo Nation's Motion to Dismiss. the parties are given 30 days from the date this Order is filed to engage in limited discovery regarding the matters specified above. The EEOC's and Peabody Coal's Response to the Navajo Nation's Motion to Dismiss is to be filed seven days subsequent to the conclusion of the limited discovery period. No extensions of time will be granted absent compelling good cause. Signed by Judge Mary H Murguia on 05/18/06. (KCS) (Entered: 05/22/2006)
05/23/2006	<a href="#">109</a>	MOTION for Extension of Time for Compelling Good cause by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Kruse, Katherine) (Entered: 05/23/2006)
05/23/2006	<a href="#">110</a>	RESPONSE to Motion re <a href="#">109</a> MOTION for Extension of Time for Compelling Good cause filed by Navajo Nation. (Frye, Paul) (Entered: 05/23/2006)
05/24/2006	<a href="#">111</a>	Notice re Service of Discovery Requests by Equal Employment Opportunity Commission (Kruse, Katherine) (Entered: 05/24/2006)
05/25/2006	<a href="#">112</a>	RESPONSE to Motion re <a href="#">109</a> MOTION for Extension of Time for Compelling Good cause filed by Peabody Western Coal Company. (Bruno, Mary) (Entered: 05/25/2006)
05/26/2006	<a href="#">113</a>	REPLY to Response to Motion re <a href="#">109</a> MOTION for Extension of Time for Compelling Good cause filed by Equal Employment Opportunity Commission. (Kruse, Katherine) (Entered: 05/26/2006)
06/05/2006	<a href="#">114</a>	ORDER granting <a href="#">109</a> Motion for Extension of Time. IT IS HEREBY ORDERED granting Plaintiff's Motion for Time Extension for Discovery for Compelling Good Cause. (Dkt.#109). The current limited discovery deadline of June 22, 2006 is extended to July 13, 2006. The deadline to file any Response is extended to July 24, 2006. There will be no additional extensions absent compelling good cause. Signed by Judge Mary H Murguia on 6/1/06. (KSP) (Entered: 06/05/2006)
06/22/2006	<a href="#">115</a>	NOTICE of Deposition of Stewart Udall, filed by Equal Employment Opportunity Commission. (Kruse, Katherine) (Entered: 06/22/2006)
06/26/2006	<a href="#">116</a>	Notice re Notice of Service of Peabody Western Coal Company's Responses to EEOC's First Set of Discovery Requests by Peabody Western Coal Company (Bruno, Mary) (Entered: 06/26/2006)
06/26/2006	<a href="#">117</a>	Notice re of Response to Discovery Requests by Navajo Nation re <a href="#">111</a>



		Other Notice (Frye, Paul) (Entered: 06/26/2006)
07/13/2006	<a href="#">118</a>	Notice re Service by Peabody Western Coal Company <i>Amended Responses to EEOC's First Set of Discovery Requests</i> (Bruno, Mary) (Entered: 07/13/2006)
07/24/2006	<a href="#">119</a>	RESPONSE to Motion re <a href="#">89</a> MOTION to Dismiss Case <i>For Lack of Subject Matter Jurisdiction, Lack of Personal Jurisdiction, Insufficiency of Process, Failure to State a Claim, Lack of Capacity, Failure to Exhaust Tribal Remedies and Failure to Join the United States as an Indi</i> filed by Peabody Western Coal Company. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B - E# <a href="#">3</a> Exhibit F-J# <a href="#">4</a> Exhibit K-M)(Bruno, Mary) (Entered: 07/24/2006)
07/24/2006	<a href="#">120</a>	EXHIBITS 9 AND 16 STRICKEN PURSUANT TO ORDER #152 FILED ON 9/30/06. RESPONSE in Opposition re <a href="#">89</a> MOTION to Dismiss Case <i>For Lack of Subject Matter Jurisdiction, Lack of Personal Jurisdiction, Insufficiency of Process, Failure to State a Claim, Lack of Capacity, Failure to Exhaust Tribal Remedies and Failure to Join the United States as an Indi</i> filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit Index and Exhibits 1-9# <a href="#">2</a> Exhibit Exhibits 10-13# <a href="#">3</a> Exhibit Exhibits 14-16)(Kruse, Katherine) Modified on 10/2/2006 (LSP). (Entered: 07/24/2006)
07/25/2006	121	Minute Order: The Court ORDERS setting Defendant's Motion to Dismiss [doc. 89] for oral argument on Monday, September 18, 2006 at 4:00 p.m. before Judge Mary H Murguia. [This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry.] (KSP) (Entered: 07/25/2006)
08/01/2006	<a href="#">122</a>	First MOTION for Extension of Time and for Extension of Page Limits by Navajo Nation. (Attachments: # <a href="#">1</a> )(Frye, Paul) (Entered: 08/01/2006)
08/03/2006	<a href="#">123</a>	MOTION to Strike <a href="#">119</a> Response to Motion, by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order Leave to Respond# <a href="#">2</a> Text of Proposed Order Motion to Strike)(Nutter, Karen) (Entered: 08/03/2006)
08/10/2006	<a href="#">124</a>	MOTION to Strike <a href="#">120</a> Response in Opposition to Motion, <i>Exhibits 9, 16 and Newspaper Articles</i> by Navajo Nation. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Frye, Paul) (Entered: 08/10/2006)
08/10/2006	<a href="#">125</a>	Second MOTION for Leave to File Excess Pages by Navajo Nation. (Attachments: # <a href="#">1</a> # <a href="#">2</a> # <a href="#">3</a> # <a href="#">4</a> Text of Proposed Order)(Frye, Paul) (Entered: 08/10/2006)
08/11/2006	<a href="#">126</a>	ORDER granting <a href="#">122</a> Motion for Extension of Time. The Navajo Nation's Unopposed Motion for Extension of Page Limits and Extension of Time in Which to File Reply is GRANTED. Therefore, the Navajo Nation is permitted to file a twenty page reply brief on its Motion to Dismiss on or before Thursday, August 10, 2006. Signed by Judge Mary H Murguia on 8/10/06. (KSP) (Entered: 08/11/2006)

08/11/2006	<a href="#">127</a>	EEOC's Response in Opposition to Strike Reply Attached to Navajo Nation's Second Motion for Extension of Page Limits; Response to Navajo Nation's Second Motion for Extension of Page Limits by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Kruse, Katherine) Modified on 8/14/2006 (LCF, ). DOCUMENT TEXT MODIFIED TO CORRECT DOCUMENT LINKAGE. INCORRECT EVENT SELECTED. THIS ENTRY HAS BEEN MODIFIED FROM (MOTION) TO (RESPONSE IN OPPOSITION TO) (Entered: 08/11/2006)
08/14/2006	<a href="#">128</a>	NOTICE TO FILER OF DEFICIENCY re <a href="#">127</a> MOTION to Strike Reply Attached to Navajo Nation's Second Motion for Extension of Page Limits; Response to Navajo Nation's Second Motion for Extension of Page Limits filed by Equal Employment Opportunity Commission. Description of deficiency: Document linked incorrectly. Incorrect document type selected. (LCF) (Entered: 08/14/2006)
08/15/2006	<a href="#">129</a>	RESPONSE to Motion re <a href="#">123</a> MOTION to Strike <a href="#">119</a> Response to Motion, <i>or Alternatively, Motion for Leave to Respond to Peabody Coal's Response</i> filed by Peabody Western Coal Company. (Bruno, Mary) (Entered: 08/15/2006)
08/15/2006	<a href="#">130</a>	REPLY to Response to Motion re <a href="#">127</a> MOTION to Strike <i>Reply Attached to Navajo Nation's Second Motion for Extension of Page Limits; Response to Navajo Nation's Second Motion for Extension of Page Limits</i> filed by Navajo Nation. (Attachments: # <a href="#">1</a> Exhibit)(Frye, Paul) (Entered: 08/15/2006)
08/17/2006	<a href="#">131</a>	ORDER granting in part and denying in part the EEOC's <a href="#">123</a> Motion to Strike Defendant Peabody Coal's Response in Support of the Navajo Nation's Motion to Dismiss; or in Alternative Motion for Leave to Respond to Peabody Coal's Response [123-1]. The motion is granted to the extent that EEOC is permitted to file a response addressing the "new arguments" set forth in Peabody Coal's Response to the Navajo Nation's motion to dismiss. The motion is denied to the extent that the EEOC seeks to strike Peabody Coal's response. Denying <a href="#">125</a> Motion for Leave to File Excess Pages. The Navajo Nation's reply brief shall be filed no later than 8/21/06. Signed by Judge Mary H Murguia on 8/16/06. (LCF) (Entered: 08/17/2006)
08/17/2006		Notice of request for e-notices by Leigh Anne Ciccarelli. (Bruno, Mary) (Entered: 08/17/2006)
08/21/2006	<a href="#">132</a>	REPLY to Response to Motion re <a href="#">89</a> MOTION to Dismiss Case <i>For Lack of Subject Matter Jurisdiction, Lack of Personal Jurisdiction, Insufficiency of Process, Failure to State a Claim, Lack of Capacity, Failure to Exhaust Tribal Remedies and Failure to Join the United States as an Indi</i> filed by Navajo Nation. (Attachments: # <a href="#">1</a> Exhibit 1-7# <a href="#">2</a> Exhibit 8-13)(Frye, Paul) (Entered: 08/21/2006)
08/28/2006	<a href="#">133</a>	RESPONSE to Motion re <a href="#">124</a> MOTION to Strike <a href="#">120</a> Response in Opposition to Motion, <i>Exhibits 9, 16 and Newspaper Articles</i> filed by

		Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit 1)(Kruse, Katherine) (Entered: 08/28/2006)
08/28/2006	<a href="#">134</a>	REPLY to Response to Motion re <a href="#">89</a> MOTION to Dismiss Case <i>For Lack of Subject Matter Jurisdiction, Lack of Personal Jurisdiction, Insufficiency of Process, Failure to State a Claim, Lack of Capacity, Failure to Exhaust Tribal Remedies and Failure to Join the United States as an Indi</i> filed by Equal Employment Opportunity Commission. (Nutter, Karen) (Entered: 08/28/2006)
09/07/2006	<a href="#">135</a>	REPLY to Response to Motion re <a href="#">124</a> MOTION to Strike <a href="#">120</a> Response in Opposition to Motion, <i>Exhibits 9, 16 and Newspaper Articles</i> filed by Navajo Nation. (Attachments: # <a href="#">1</a> Exhibit)(Frye, Paul) (Entered: 09/07/2006)
09/11/2006	<a href="#">136</a>	Notice re Supplented Answers to Plaintiff EEOC's First Set of Interrogatories by Navajo Nation re <a href="#">111</a> Other Notice (Frye, Paul) (Entered: 09/11/2006)
09/14/2006	<a href="#">137</a>	RESPONSE re <a href="#">134</a> Reply to Response to Motion, <i>to Strike Exhibits D and E to PWCC's Response</i> by Defendant Peabody Western Coal Company. (Attachments: # <a href="#">1</a> # <a href="#">2</a> )(Bruno, Mary) (Entered: 09/14/2006)
09/15/2006	<a href="#">138</a>	REPLY in Support re <a href="#">123</a> MOTION to Strike <a href="#">119</a> Response to Motion, <i>Reply in Support of Motion to Strike</i> <a href="#">134</a> filed by Equal Employment Opportunity Commission. (Kruse, Katherine) (Entered: 09/15/2006)
09/18/2006	<a href="#">139</a>	Minute Entry for proceedings held before Judge Mary H Murguia. Court Reporter: Merilyn Sanchez. Appearances: Katherine Kruse and Karen Nutter for the plaintiffs. Mary Bruno, Louis Denetsosie, Lisa Enfield and Paul Frye for the defendants. Motion hearing re: Navajo Nation's Motion to Dismiss Case <a href="#">89</a> held. Counsel argue their positions to the Court. IT IS ORDERED taking this matter under advisement. [This is a TEXT ONLY entry. There is no.pdf document attached.] (KAL) (Entered: 09/21/2006)
09/26/2006	<a href="#">140</a>	First MOTION for Leave to File Notice of Supplemental Authority by Navajo Nation. (Attachments: # <a href="#">1</a> Exhibit)(Frye, Paul) (Entered: 09/26/2006)
09/28/2006	<a href="#">141</a>	RESPONSE to Motion re <a href="#">140</a> First MOTION for Leave to File Notice of Supplemental Authority filed by Equal Employment Opportunity Commission. (Kruse, Katherine) (Entered: 09/28/2006)
09/30/2006	<a href="#">142</a>	ORDER granting <a href="#">89</a> Navajo Nation's Motion to Dismiss Case, which has been converted into a Motion for Summary Judgment. IT IS FURHTER ORDERED granting <a href="#">124</a> Navajo Nations's Motion to Strike Exhibits 9 and 16 of the EEOC's <a href="#">120</a> Response in Opposition to Navajo Nation's Motion to Dismiss. IT IS FURTHER ORDERED denying [ <a href="#">134-2</a> ] EEOC's Motion to Strike Exhibits D and E of Peabody Coal's <a href="#">119</a> Response to the Navajo Nation's Motion to Dismiss. IT IS FURTHER ORDERED denying <a href="#">140</a> Navajo Nation's Motion for Leave to File Notice of Supplemental Authority as moot. IT IS FURTHER ORDERED directing the Clerk to enter judgment accordingly. Signed by Judge Mary

		H Murguia on 9/30/06. (LSP) (Entered: 10/02/2006)
10/02/2006	<a href="#">143</a>	CLERK'S JUDGMENT it is ordered and adjudged that the Court having granted Defendant Navajo Nation's Motion to Dismiss, which has been converted into a Motion for Summary Judgment, <a href="#">142</a> , Plaintiff take nothing. This Complaint and action are hereby dismissed. (LSP) (Entered: 10/02/2006)
10/13/2006	<a href="#">144</a>	ORDER that the word "EEOC" on page 3, line 23 and page 4, line 17 be replaced with "Navajo Nation" re <a href="#">142</a> ORDER Signed by Judge Mary H Murguia on 9/30/06. . Signed by Judge Mary H Murguia on 10/11/06. (SBU) (Entered: 10/13/2006)
11/27/2006	<a href="#">145</a>	NOTICE OF APPEAL to 9th Circuit, as to <a href="#">142</a> Order on Motion to Dismiss Case,,, Order on Motion to Strike,,, Order on Motion for Leave to File,,, <a href="#">143</a> Clerk's Judgment, by Equal Employment Opportunity Commission. Filing fee \$ 455. (Nutter, Karen) (Entered: 11/27/2006)
11/27/2006	<a href="#">146</a>	Representation Statement by Equal Employment Opportunity Commission re <a href="#">145</a> Notice of Appeal, (Nutter, Karen) (Entered: 11/27/2006)
11/29/2006	<a href="#">147</a>	Notice of Appeal Notification Form; Notice of Appeal and copy of docket sheet transmitted to Ninth Circuit and all parties re <a href="#">145</a> Notice of Appeal, (DMT, ) (Entered: 11/29/2006)
12/01/2006	<a href="#">148</a>	TRANSCRIPT DESIGNATION AND ORDER FORM by Equal Employment Opportunity Commission for proceedings held on 9/18/2006 before Judge Murguia, re <a href="#">145</a> Notice of Appeal, (Kruse, Katherine) (Entered: 12/01/2006)
12/07/2006	<a href="#">149</a>	TRANSCRIPT DESIGNATION AND ORDER FORM by Peabody Western Coal Company for proceedings held on 9/18/06 before Judge Murguia, re <a href="#">145</a> Notice of Appeal, (Cicarelli, Leigh Anne) (Entered: 12/07/2006)
12/07/2006	<a href="#">150</a>	TRANSCRIPT filed for Hearing on Motion to Dismiss for dates of 9/18/06 before Judge Mary H Murguia. Court Reporter: Merilyn A Sanchez. Re <a href="#">145</a> Notice of Appeal, (BAS, ) (Entered: 12/08/2006)
12/08/2006	<a href="#">151</a>	CERTIFICATE OF RECORD TRANSMITTED TO 9TH CIRCUIT COURT OF APPEALS re <a href="#">145</a> Notice of Appeal, (DMT, ) (Entered: 12/11/2006)
12/13/2006	<a href="#">152</a>	Ninth Circuit Case Number 06-17261 for <a href="#">145</a> Notice of Appeal,. (DMT, ) (Entered: 12/13/2006)
12/26/2006	<a href="#">153</a>	MOTION to Withdraw as Attorney by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Nutter, Karen) (Entered: 12/26/2006)
01/10/2007	<a href="#">154</a>	ORDER granting <a href="#">153</a> Plaintiff's Motion to Withdraw as Attorney. Attorney Karen E Nutter terminated. Signed by Judge Mary H Murguia on 1/8/07.(LCF) (Entered: 01/10/2007)

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