

CLOSED, STD

**U.S. District Court  
DISTRICT OF ARIZONA (Phoenix Division)  
CIVIL DOCKET FOR CASE #: 2:06-cv-02324-EHC**

Equal Employment Opportunity Commission v. Apothecary Shop  
of Scottsdale, Inc. et al  
Assigned to: Judge Earl H Carroll  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/28/2006  
Date Terminated: 04/17/2008  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Mary Joleen O'Neill**  
EEOC  
3300 N Central Ave  
Ste 690  
Phoenix, Az 85012-1848  
602-640-5044  
Fax: 602-640-5009  
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*LEAD ATTORNEY*  
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**P David Lopez**  
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V.

**Intervenor Plaintiff**

**Jacinta Hines**

represented by **Patricia Ann Kirtley**  
Kirtley Wells PC  
3800 N Central Ave  
Ste 615  
Phoenix, AZ 85012  
602-264-7424  
Fax: 866-743-4332  
Email: [tkkwlo@cybertrails.com](mailto:tkkwlo@cybertrails.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Apothecary Shop of Scottsdale, Inc.**  
*doing business as*  
Apothecary Shops of Arizona

represented by **Eric Bowen Johnson**  
Quarles & Brady LLP  
1 Renaissance Sq  
2 N Central Ave  
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602-229-5425  
Fax: 602-229-5690  
Email: [ejohnson@quarles.com](mailto:ejohnson@quarles.com)

**Sandra Jean Creta**  
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602-229-5334  
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Email: [screta@quarles.com](mailto:screta@quarles.com)

**Defendant**

**Apothecary Shop of Gilbert, Inc.**

represented by **Eric Bowen Johnson**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Sandra Jean Creta**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
09/28/2006	<u>1</u>	COMPLAINT, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Civil Cover Sheet)(Lopez, P) (Entered: 09/28/2006)

09/28/2006	<u>2</u>	This case has been assigned to the Honorable Roslyn O Silver. All future pleadings or documents should bear the correct case number: CV06-2324-PHX-ROS. Notice of Availability of Magistrate Judge to Exercise Jurisdiction form attached. (PEM) (Entered: 09/29/2006)
09/28/2006	<u>3</u>	Summons Issued as to Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc.. (Attachments: # <u>1</u> Gilbert)(PEM) (Entered: 09/29/2006)
10/04/2006	<u>4</u>	AMENDED COMPLAINT against all defendants; Jury Demand, filed by Equal Employment Opportunity Commission.(Lopez, P) (Entered: 10/04/2006)
12/05/2006	<u>5</u>	SUMMONS Returned Executed by Equal Employment Opportunity Commission. Apothecary Shop of Scottsdale, Inc. served on 11/21/2006, answer due 12/11/2006. (Lopez, P) (Entered: 12/05/2006)
12/05/2006	<u>6</u>	SUMMONS Returned Executed by Equal Employment Opportunity Commission. Apothecary Shop of Gilbert, Inc. served on 11/21/2006, answer due 12/11/2006. (Lopez, P) (Entered: 12/05/2006)
12/11/2006	<u>7</u>	<i>Answer to Plaintiff's First Amended Complaint</i> ANSWER to Amended Complaint by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc..(Johnson, Eric) (Entered: 12/11/2006)
12/11/2006	<u>8</u>	Corporate Disclosure Statement by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc.. (Johnson, Eric) (Entered: 12/11/2006)
01/10/2007	<u>9</u>	Notice re Law Firm Name Change by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. (Creta, Sandra) (Entered: 01/10/2007)
01/31/2007	<u>10</u>	ORDER: Scheduling Conference set for 3/30/2007 09:00 AM before Judge Roslyn O Silver. Signed by Judge Roslyn O Silver on 1/31/2007. (LAD) (Entered: 01/31/2007)
02/28/2007	11	ORDER - A Scheduling Conference is set for 3/30/2007 at 9:00 A.M. IT IS ORDERED this hearing is VACATED AND RESET to 5/4/2007 at 2:45 P.M. in Courtroom 604, 401 West Washington Street, Phoenix, AZ 85003 before Judge Roslyn O Silver. The Proposed Case Management Plan and Proposed Rule 16 Scheduling Order are due 10 days prior to the hearing date. Signed by Judge Roslyn O Silver on 02/28/2007(ROS, ) (Entered: 02/28/2007)
02/28/2007	<u>12</u>	NOTICE of Appearance by Sandra Jean Creta on behalf of Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. (Creta, Sandra) (Entered: 02/28/2007)
04/17/2007	13	ORDER - A Rule 16 Scheduling Conference is set for 5/4/2007 at 2:45 P.M. IT IS ORDERED this hearing is VACATED AND RESET to 5/10/2007 at 10:30 A.M. in Courtroom 604, 401 West Washington Street, Phoenix, AZ 85003 before Judge Roslyn O Silver. The Case Management Plan and Proposed Scheduling Order are due ten days prior to the hearing. Signed by Judge Roslyn O Silver on 04/17/2007. (ROS, ) (Entered: 04/17/2007)
04/24/2007	<u>14</u>	First MOTION to Continue Rule 16 Scheduling Conference by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(Creta, Sandra) (Entered: 04/24/2007)

05/01/2007	<u>15</u>	ORDER TO CONTINUE RULE 16 SCHEDULING CONFERENCE Scheduling Conference set for 5/11/2007 09:30 AM before Judge Roslyn O Silver. Signed by Judge Roslyn O Silver on 5/1/07. (MAP) (Entered: 05/01/2007)
05/02/2007	<u>16</u>	REPORT re: Rule 26(f) Planning Meeting by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc.. (Creta, Sandra) (Entered: 05/02/2007)
05/04/2007	<u>17</u>	LODGED Proposed Rule 16 Scheduling Order. Document to be filed by Clerk if Motion to Leave to File or Amend is granted. Filed by Equal Employment Opportunity Commission, Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc.. (Lopez, P) (Entered: 05/04/2007)
05/11/2007	<u>18</u>	ORDER - A Scheduling Conference is set for 5/11/2007 at 9:30 A.M. IT IS ORDERED this hearing is VACATED AND RESET to 5/15/2007 at 9:30 A.M. in Courtroom 604, 401 West Washington Street, Phoenix, AZ 85003 before Judge Roslyn O Silver. Signed by Judge Roslyn O Silver on 05/11/2007. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (ROS, ) (Entered: 05/11/2007)
05/15/2007	<u>19</u>	Minute Entry. Proceedings held before Judge Roslyn O Silver: Scheduling Conference held on 5/15/2007. Counsel to submit a joint proposed Rule 16 Scheduling Order in accordance with the dates established at this hearing, by 5/22/07. (Court Reporter Elaine Cropper.)(KFZ) (Entered: 05/15/2007)
05/24/2007	<u>20</u>	RULE 16 SCHEDULING ORDER: Discovery due by 11/9/2007, Dispositive motions due by 12/14/2007, Proposed Pretrial Order due by 5/16/2008, Interim Rule 16 Status Hearing set for 11/23/2007 09:30 AM before Judge Roslyn O Silver. Signed by Judge Roslyn O Silver on 5/24/2007. (LAD) (Entered: 05/24/2007)
05/31/2007	<u>21</u>	Notice re Service by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. of <i>Defendants' First Set of Requests For Production Of Documents and Defendants' First Interrogatories to Plaintiff</i> (Creta, Sandra) (Entered: 05/31/2007)
05/31/2007	<u>22</u>	Notice re Service by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. of <i>Defendants' Initial Disclosure Statement</i> (Creta, Sandra) (Entered: 05/31/2007)
06/07/2007	<u>23</u>	Notice re Service of Initial Disclosure by Equal Employment Opportunity Commission (Lopez, P) (Entered: 06/07/2007)
06/19/2007	<u>24</u>	MOTION to Intervene by Jacinta Hines. (Attachments: # <u>1</u> Exhibit Complaint)(Kirtley, Patricia) (Entered: 06/19/2007)
06/26/2007	<u>25</u>	Notice re Service of Defendants' First Supplemental Disclosure Statement by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. (Creta, Sandra) (Entered: 06/26/2007)
07/03/2007	<u>26</u>	Notice re Service of Discovery Responses by Equal Employment Opportunity Commission <i>Response to Request for Production, Response to Interrogatories</i> (Lopez, P) (Entered: 07/03/2007)
07/03/2007	<u>27</u>	Notice re Service of Discovery Requests by Equal Employment Opportunity Commission <i>First Request for Production, First Set of Interrogatories, First Request for Admissions</i> (Lopez, P) (Entered: 07/03/2007)
07/06/2007	<u>28</u>	Notice re Non-Objection to Jacinta Hines' Motion to Intervene by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. (Creta, Sandra) (Entered: 07/06/2007)

		07/06/2007)
08/02/2007	<u>29</u>	Notice re Service by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. (Creta, Sandra) (Entered: 08/02/2007)
08/09/2007	<u>30</u>	ORDER re <u>24</u> MOTION to Intervene. That parties have to 8/13/07 to respond to motion <u>24</u> and reply by proposed intervenor due 8/17/07. Signed by Judge Roslyn O Silver on 8/8/07. (DMT, ) (Entered: 08/09/2007)
08/10/2007	<u>31</u>	ORDER granting <u>24</u> Motion. Signed by Judge Roslyn O Silver on 8/10/07.(DMT, ) (Entered: 08/10/2007)
08/30/2007	<u>32</u>	ORDER - A Status Conference is set for 11/23/2007 at 9:30 A.M. IT IS ORDERED this hearing is VACATED and RESET to 11/30/2007 at 11:00 A.M. in Courtroom 604, 401 West Washington Street, Phoenix, AZ 85003 before Judge Roslyn O Silver. A joint statement is due to be filed one week prior to the hearing. Signed by Judge Roslyn O Silver on 08/30/2007. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (ROS, ) (Entered: 08/30/2007)
09/18/2007	<u>33</u>	Notice re of Discovery and Settlement Status by Jacinta Hines (Kirtley, Patricia) (Entered: 09/18/2007)
09/26/2007	<u>34</u>	Notice re Service of Defendants' Second Supplemental Disclosure Statement by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. (Creta, Sandra) (Entered: 09/26/2007)
09/28/2007	<u>35</u>	Notice re Service of Defendants' First Interrogatories and Requests for Production of Documents to Intervener by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. (Creta, Sandra) (Entered: 09/28/2007)
10/01/2007	<u>36</u>	Notice re Service of Discovery Responses by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. (Creta, Sandra) (Entered: 10/01/2007)
10/09/2007	<u>37</u>	COMPLAINT. Filing fee received: \$ 350.00, receipt number 1492717, filed by Jacinta Hines.(Kirtley, Patricia) (Entered: 10/09/2007)
10/15/2007	<u>38</u>	Notice re of Service of Defendants' Third Supplemental Disclosure Statement by Apothecary Shop of Scottsdale, Inc. (Creta, Sandra) (Entered: 10/15/2007)
10/16/2007	<u>39</u>	Notice re of Service of Jacinta Hines' Initial Disclosure Statement by Jacinta Hines (Kirtley, Patricia) (Entered: 10/16/2007)
10/19/2007	<u>40</u>	Joint MOTION to Amend/Correct <i>Case Management Plan</i> by Jacinta Hines. (Attachments: # <u>1</u> Text of Proposed Order Rule 16 Scheduling Order)(Kirtley, Patricia) (Entered: 10/19/2007)
10/19/2007	<u>41</u>	Notice re Service of Defendants' Fourth Supplemental Disclosure Statement by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. (Creta, Sandra) (Entered: 10/19/2007)
10/22/2007	<u>42</u>	ORDER granting <u>40</u> Motion to Amend/Correct, extend disc ddl.. Signed by Judge Roslyn O Silver on 10/22/07.(DMT, ) (Entered: 10/22/2007)
10/22/2007	<u>43</u>	AMENDED RULE 16 SCHEDULING ORDER: Discovery due by 2/9/2008.,Dispositive motions due by 3/15/2008.,Proposed Pretrial Order due by 7/16/2008.. Signed by Judge Roslyn O Silver on 10/22/07. (DMT, ) (Entered: 10/22/2007)

		10/22/2007)
10/22/2007	<u>44</u>	Notice re Service of Defendants' Fifth Supplemental Disclosure Statement by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. (Creta, Sandra) (Entered: 10/22/2007)
10/22/2007	<u>45</u>	ORDER - A Status Conference is set for 11/30/2007 at 11:00 A.M. IT IS ORDERED this hearing is VACATED AND RESET to 11/28/2007 at 11:00 A.M. in Courtroom 604, 401 West Washington Street, Phoenix, AZ 85003 before Judge Roslyn O Silver. A Joint Status Report is due to be filed one week in advance of the hearing. Signed by Judge Roslyn O Silver on 10/22/2007. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (ROS, ) (Entered: 10/22/2007)
10/29/2007	<u>46</u>	ANSWER to Complaint <i>in Intervention</i> by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc..(Creta, Sandra) (Entered: 10/29/2007)
11/20/2007	<u>47</u>	ORDER that this matter has been reassigned by random lot to the Honorable Earl H. Carroll. All future pleadings and papers submitted for filing shall bear the following complete case number: CV06-2324-PHX-EHC. Judge Earl H Carroll added. Judge Roslyn O Silver no longer assigned to case.. Signed by Judge Roslyn O Silver on 11/20/07. (DMT, ) (Entered: 11/20/2007)
11/20/2007	<u>48</u>	ORDER - A Status Conference is set for 11/28/2007 at 11:00 A.M. IT IS ORDERED this hearing is VACATED. Signed by Judge Roslyn O Silver on 11/20/2007. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (ROS, ) (Entered: 11/20/2007)
11/26/2007	<u>49</u>	NOTICE of Deposition of John Musil, filed by Equal Employment Opportunity Commission. (Lopez, P) (Entered: 11/26/2007)
12/05/2007	<u>50</u>	NOTICE of Deposition of Erv Galecki, filed by Equal Employment Opportunity Commission. (Lopez, P) (Entered: 12/05/2007)
12/10/2007	<u>51</u>	NOTICE of Deposition of Diana Clifton, filed by Equal Employment Opportunity Commission. (Lopez, P) (Entered: 12/10/2007)
12/10/2007	<u>52</u>	NOTICE of Deposition of Jeff Eason, filed by Equal Employment Opportunity Commission. (Lopez, P) (Entered: 12/10/2007)
12/18/2007	<u>53</u>	Notice re Filing Certificate of Service by Jacinta Hines (Attachments: # <u>1</u> Exhibit Certificate of Service of Subpoena and Deposition Notice on Jeff Eason, # <u>2</u> Exhibit Subpoena of Jeff Eason)(Kirtley, Patricia) (Entered: 12/18/2007)
12/26/2007	<u>54</u>	Notice re Service of Second Request For Admissions by Equal Employment Opportunity Commission (Lopez, P) (Entered: 12/26/2007)
12/26/2007	<u>55</u>	Notice re Service of Second Set of Non-Uniform Interrogatories by Equal Employment Opportunity Commission (Lopez, P) (Entered: 12/26/2007)
12/26/2007	<u>56</u>	Notice re Service of First Supplemental Response to Defendants' First Set of Interrogatories by Equal Employment Opportunity Commission (Lopez, P) (Entered: 12/26/2007)
12/26/2007	<u>57</u>	Notice re Service of Second Request for Production of Documents by Equal Employment Opportunity Commission (Lopez, P) (Entered: 12/26/2007)

12/26/2007	<u>58</u>	Notice re Service of Supplemental Rule 26 (a)(1) Disclosure Statement by Equal Employment Opportunity Commission (Lopez, P) (Entered: 12/26/2007)
01/11/2008	<u>59</u>	Notice re of Service by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. <i>of Defendants' Sixth Supplemental Disclosure Statement</i> (Creta, Sandra) (Entered: 01/11/2008)
01/15/2008	<u>60</u>	Notice re Filing Plaintiff's Response to Defendant's First Interrogatories and Request for Production of Documents to Intervener Jacinta Hines by Jacinta Hines (Kirtley, Patricia) (Entered: 01/15/2008)
01/23/2008	<u>61</u>	Joint MOTION to Amend/Correct re Rule 16 Scheduling Order by Equal Employment Opportunity Commission, Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc., Jacinta Hines. (Attachments: # <u>1</u> Text of Proposed Order To Amend Rule 16 Scheduling Order)(Creta, Sandra) (Entered: 01/23/2008)
01/23/2008	<u>62</u>	MOTION to Continue Deadline to Answer the EEOC's Second Discovery Requests by Equal Employment Opportunity Commission, Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc.. (Attachments: # <u>1</u> Text of Proposed Order to Continue Deadline)(Creta, Sandra) (Entered: 01/23/2008)
01/24/2008	<u>63</u>	Notice re of Service of Defendants' Seventh Supplemental Disclosure Statement by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. (Creta, Sandra) (Entered: 01/24/2008)
01/28/2008	<u>64</u>	ORDER granting <u>62</u> Motion to Continue. The deadline for Defendants to answer the EEOCs Second Discovery Requests is extended to January 30, 2008.. Signed by Judge Earl H Carroll on 1/25/08.(DMT, ) (Entered: 01/28/2008)
01/29/2008	<u>65</u>	ORDER granting <u>61</u> Motion to Amend/Correct Rule 16 Scheduling Order. That all discovery, including answers to written discovery and expert depositions, shall be completed by March 26, 2008. That all discovery shall be supplemented no later than April 16, 2008, including answers to written discovery and expert depositions. That Motions for Summary Judgment shall be filed by May 9, 2008. Deadlines for filing pretrial submissions and a Joint Proposed Pretrial Order, and the scheduling of a Final Pretrial Conference and Jury Trial, will be set by further Order of the Court.. Signed by Judge Earl H Carroll on 1/29/08.(DMT, ) (Entered: 01/29/2008)
01/30/2008	<u>66</u>	Notice re of Service of Responses to EEOC's Second Request for Admissions by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. (Creta, Sandra) (Entered: 01/30/2008)
02/18/2008	<u>67</u>	Notice re Filing Plaintiff's Second Supplemental Response to Defendant's First Interrogatories and Request for Production of Documents to Intervenor Jacinta Hines by Jacinta Hines (Kirtley, Patricia) (Entered: 02/18/2008)
02/26/2008	<u>68</u>	Notice re of Service by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc. (Creta, Sandra) (Entered: 02/26/2008)
04/14/2008	<u>69</u>	Joint MOTION to Approve Consent Judgment <i>For Entry of Consent Decree</i> by Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc.. (Creta, Sandra) (Entered: 04/14/2008)

04/14/2008	<u>70</u>	Additional Attachments to Main Document re <u>69</u> Joint MOTION to Approve Consent Judgment <i>For Entry of Consent Decree CONSENT DECREE</i> by Plaintiff Equal Employment Opportunity Commission, Defendants Apothecary Shop of Scottsdale, Inc., Apothecary Shop of Gilbert, Inc., Intervenor Plaintiff Jacinta Hines. (Creta, Sandra) (Entered: 04/14/2008)
04/17/2008	<u>71</u>	CONSENT DECREE. Dft, and its successors etc are enjoined from discrimination on basis of race. Dft shall pay a settlement amount of \$70,000.00. See decree for full details.. Signed by Judge Earl H Carroll on 4/16/08. (DMT, ) (Entered: 04/17/2008)

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<b>Billable Pages:</b>	5	<b>Cost:</b>	0.40