

ADRMOP, CLOSED, E-Filing

**U.S. District Court  
California Northern District (San Jose)  
CIVIL DOCKET FOR CASE #: 5:02-cv-04614-JF**

U.S. Equal Employment Opportunity Commission et al v.  
Fresh Express, Inc.  
Assigned to: Hon. Jeremy Fogel  
Referred to: Magistrate Judge Howard R. Lloyd  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/24/2002  
Jury Demand: Both  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff****U.S. Equal Employment Opportunity  
Commission**

represented by **Jonathan T. Peck**  
U.S. EEOC  
350 Embarcadero Street  
Suite 500  
San Francisco, CA 94105-1687  
415/625-5600  
Fax: 415-625-5657  
Email: Jonathan.Peck@eeoc.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lucila G. Rosas**  
U.S. EEOC  
96 North Third Street  
Suite 200  
San Jose, CA 95112  
(408) 291-6401  
Email: Lucila.Rosas@eeoc.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**William Robert Tamayo**  
U.S. EEOC  
350 Embarcadero Street  
Suite 500  
San Francisco, CA 94105-1687  
415-625-5645  
Fax: 415-625-5657  
Email: william.tamayo@eeoc.gov  
*ATTORNEY TO BE NOTICED*

V.

**Intervenor Pla****Armida Urquizo**represented by **Michael Meuter**

California Rural Legal Assistance Inc  
 3 Williams Road  
 Salinas, CA 93905  
 831-757-5221  
 Fax: 831-757-6212  
 Email: mmeuter@crla.org  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Fresh Express, Inc.**

represented by **Charles Swanston**  
 Fitzpatrick Spini & Swanston  
 Attorneys at Law  
 838 South Main Street, Suite E  
 Salinas, CA 93901  
 831-755-1311  
 Fax: 831-755-1319  
 Email: cswanston@fandslegal.com  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/24/2002	<a href="#">1</a>	COMPLAINT <i>summons issued; jury demand</i> ; against Fresh Express, Inc. (). Filed by U.S. Equal Employment Opportunity Commission. (bw, ) Additional attachment(s) added on 10/2/2002 (lfc, ). (Entered: 09/26/2002)
09/24/2002	<a href="#">2</a>	ADR SCHEDULING ORDER: Case Management Statement due by 1/14/2003. Case Management Conference set for 1/21/2003 at 01:30 PM. (bw, ) (Entered: 09/26/2002)
09/24/2002		Summons Issued as to Fresh Express, Inc. (bw, ) (Entered: 09/26/2002)
10/15/2002	<a href="#">3</a>	INCOMPLETE SUBMISSION. PLEASE SEE ENTRY #4; MOTION to Intervene filed by Mike Meuter California Rural Legal Assistance. Motion Hearing set for 11/19/2002 10:00 AM. (Meuter, Michael) Modified on 10/15/2002 (WV) (Entered: 10/15/2002)
10/15/2002	<a href="#">4</a>	MOTION to Intervene <i>Notice of Motion and Motion For Leave to Intervene</i> filed by Mike Meuter California Rural Legal Assistance. Motion Hearing set for 11/19/2002 10:00 AM. (Attachments: # <a href="#">1</a> # <a href="#">2</a> Declaration of Michael Meuter in Support# <a href="#">3</a> # <a href="#">4</a> Proof of Service 1) Notice of Motion; Memo of P&A; Dec. of M. Meuter in Support ; Complaint in Intervention)(Meuter, Michael) (Entered: 10/15/2002)
11/07/2002	<a href="#">5</a>	Statement of Non-Opposition re <a href="#">4</a> filed by U.S. Equal Employment Opportunity Commission. (Related document(s) <a href="#">4</a> ) (Rosas, Lucila) (Entered: 11/07/2002)

11/07/2002	<a href="#">6</a>	CERTIFICATE OF SERVICE by U.S. Equal Employment Opportunity Commission re <a href="#">5</a> <i>Statement of Non-Opposition</i> (Rosas, Lucila) (Entered: 11/07/2002)
11/12/2002	<a href="#">7</a>	ORDER by Magistrate Judge Howard R. Lloyd granting <a href="#">4</a> Motion to Intervene (hrllc2) (Entered: 11/12/2002)
11/26/2002	<a href="#">8</a>	Declination to Proceed Before a U.S. Magistrate Judge by U.S. Equal Employment Opportunity Commission. (Rosas, Lucila) (Entered: 11/26/2002)
11/26/2002	<a href="#">9</a>	CERTIFICATE OF SERVICE by U.S. Equal Employment Opportunity Commission re <a href="#">8</a> <i>Declination to Proceed Before a U.S. Magistrate</i> (Rosas, Lucila) (Entered: 11/26/2002)
12/02/2002	<a href="#">10</a>	CLERK'S NOTICE of Impending Reassignment to U.S. District Judge (pmc, ) (Entered: 12/02/2002)
12/03/2002	<a href="#">11</a>	ORDER REASSIGNING CASE. Case reassigned to Judge Jeremy Fogel as the presiding judge. Magistrate Judge Howard R. Lloyd remains as the referral judge.. Signed by Executive Committee on 12/03/02. (lfc, ) (Entered: 12/03/2002)
01/21/2003	<a href="#">12</a>	STIPULATION <i>and Order for Eight Week Continuance of Case Management Conference</i> by U.S. Equal Employment Opportunity Commission. (Rosas, Lucila) (Entered: 01/21/2003)
01/23/2003	<a href="#">13</a>	STIPULATION AND ORDER CONTINUING CASE MANAGEMENT CONFERENCE Case Management Conference set for 3/24/2003 at 10:30 AM.Signed by Judge Jeremy Fogel on 1/22/03. (jfsec) (Entered: 01/23/2003)
03/17/2003	<a href="#">14</a>	STIPULATION <i>and Order for Eight Week Continuance of Case Management Conference</i> by U.S. Equal Employment Opportunity Commission. (Rosas, Lucila) (Entered: 03/17/2003)
03/17/2003	<a href="#">15</a>	CERTIFICATE/PROOF OF SERVICE by U.S. Equal Employment Opportunity Commission re <a href="#">14</a> <i>Stipulation and Order for Eight Week Continuance of Case Management Conference</i> (Rosas, Lucila) (Entered: 03/17/2003)
03/18/2003	<a href="#">16</a>	STIPULATION AND ORDER FOR EIGHT WEEK CONTINUANCE OF CASE MANAGEMENT CONFERENCE. re <a href="#">14</a> Signed by Judge Jeremy Fogel on 3/18/03. (jfsec) (Entered: 03/18/2003)
04/16/2003	<a href="#">17</a>	ANSWER to Complaint by Fresh Express, Inc.. (Swanston, Charles) (Entered: 04/16/2003)
04/23/2003	<a href="#">18</a>	First Intervenor COMPLAINT. Filed by Armida Urquizo. (Meuter, Michael) (Entered: 04/23/2003)
05/12/2003	<a href="#">19</a>	JOINT CASE MANAGEMENT STATEMENT <i>and [Proposed] Order</i> filed by U.S. Equal Employment Opportunity Commission. (Rosas, Lucila) (Entered: 05/12/2003)

05/20/2003	<a href="#">20</a>	Minute Entry: Initial Case Management Conference held on 5/19/2003 before Judge Jeremy Fogel. Court adopts the proposed case management dates. Case set for Jury trial on 8/30/04 at 1:30 p.m. and Pretrial conference on 8/20/04 at 9:30 a.m. Continued to 11/3/03 at 10:30 a.m. for Further Case Management conference. (Court Reporter Not reported.) (dlm, ) (Entered: 05/20/2003)
09/16/2003	<a href="#">21</a>	ANSWER to Intervenor Complaint by Fresh Express, Inc.. (Swanston, Charles) (Entered: 09/16/2003)
10/27/2003	<a href="#">22</a>	STIPULATION <i>and Order for Six Week Continuance of Case Management Conference</i> by U.S. Equal Employment Opportunity Commission. (Rosas, Lucila) (Entered: 10/27/2003)
10/29/2003	<a href="#">23</a>	CLERK'S NOTICE Case Management Conference rescheduled for 12/15/2003 at 10:30 AM. (jfsec, COURT STAFF) (Entered: 10/29/2003)
10/30/2003	<a href="#">24</a>	NOTICE of Change of Address <i>of William Tamayo and Jonathan Peck</i> by U.S. Equal Employment Opportunity Commission. (Rosas, Lucila) (Entered: 10/30/2003)
11/03/2003	<a href="#">25</a>	STIPULATION AND ORDER CONTINUING CASE MANAGEMENT CONFERENCE Case Management Conference set for 12/15/2003 at 10:30 AM.. Signed by Judge Jeremy Fogel on 11/3/03. (jfsec, COURT STAFF) (Entered: 11/03/2003)
12/08/2003	<a href="#">26</a>	CASE MANAGEMENT STATEMENT filed by Armida Urquizo. (Meuter, Michael) (Filed on 12/8/2003) (Entered: 12/08/2003)
12/10/2003	<a href="#">27</a>	CASE MANAGEMENT STATEMENT filed by Fresh Express, Inc.. (Swanston, Charles) (Filed on 12/10/2003) (Entered: 12/10/2003)
12/11/2003	<a href="#">28</a>	CASE MANAGEMENT STATEMENT filed by Fresh Express, Inc.. (Swanston, Charles) (Filed on 12/11/2003) (Entered: 12/11/2003)
12/15/2003	<a href="#">29</a>	CLERK'S NOTICE of Settlement Conference and Order Settlement Conference set for 12/23/2003 09:30 AM.before Magistrate Judge Howard R. Lloyd (pmc, ) (Filed on 12/15/2003) (Entered: 12/15/2003)
12/16/2003	<a href="#">30</a>	Minute Entry: Further Case Management Conference held on 12/15/2003 before Judge Jeremy Fogel (Date Filed: 12/16/2003). Case referred to Magistrate Judge Howard R. Lloyd for settlement conference. Case remains set for jury trial on 8/30/04 at 1:30 p.m. and pretrial conference on 8/20/04 at 9:30 a.m. (Court Reporter Not reported.) (dlm, COURT STAFF) (Date Filed: 12/16/2003) (Entered: 12/16/2003)
12/23/2003	<a href="#">31</a>	Minute Entry: Settlement Conference (Date Filed: 12/23/2003). (Tape #n/a.) (pmc, ) (Date Filed: 12/23/2003) (Entered: 12/23/2003)
05/07/2004	<a href="#">34</a>	Proposed Consent Decree by Fresh Express, Inc., U.S. Equal Employment Opportunity Commission. (dhm, COURT STAFF) (Filed on 5/7/2004) Additional attachment(s) added on 5/13/2004 (dhm, COURT STAFF). (Entered: 05/10/2004)

05/07/2004	<a href="#">32</a>	CLERK'S NOTICE re: Failure to E-File and/or Failure to Register as an E-Filer (regarding proposed consent decree manually submitted on 5/7/04) (dhm, COURT STAFF) (Filed on 5/7/2004) (Entered: 05/10/2004)
05/12/2004	<a href="#">33</a>	CONSENT DECREE filed by Fresh Express, Inc., U.S. Equal Employment Opportunity Commission. Signed by Judge Jeremy Fogel on 5/10/04. (dlm, COURT STAFF) (Filed on 5/12/2004) (Entered: 05/12/2004)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
05/17/2007 14:53:33			
<b>PACER Login:</b>	hs0328	<b>Client Code:</b>	eeoc
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	5:02-cv-04614-JF
<b>Billable Pages:</b>	3	<b>Cost:</b>	0.24