

CIVIL, CLOSED

**U.S. District Court
Eastern District of California - Live System (Fresno)
CIVIL DOCKET FOR CASE #: 1:06-cv-00561-LJO-DLB**

EEOC v. Grimmway Enterprises, Inc.
Assigned to: District Judge Lawrence J. O'Neill
Referred to: Magistrate Judge Dennis L. Beck
Cause: 28:451 Employment Discrimination

Date Filed: 05/10/2006
Date Terminated: 11/19/2007
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Linda Susan Ordonio-Dixon**
Equal Employment Opportunity
Commission
350 The Embarcadero, Suite 500
San Francisco, CA 94105
(415) 625-5654
Fax: (415) 625-5657
Email: Linda.Ordonio-Dixon@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Intervenor Plaintiff

Ana-Berta Rubio

represented by **William J. Smith**
W. J. Smith & Associates
2350 West Shaw Avenue
Suite 132
Fresno, CA 93711
559-432-0986
Fax: 559-432-4871
Email: wsmith@wjslawoffice.com
ATTORNEY TO BE NOTICED

V.

Defendant

Grimmway Enterprises, Inc.
Doing business as
Grimmway Farms

represented by **Lorna Hislop Brumfield**
LeBeau-Thelen, LLP
5001 E. Commercenter Dr., Suite 300
Bakersfield, CA 93309
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Defendant

Esparza Enterprises, Inc.

represented by **Paul J. Bauer**

Dowling, Aaron & Keeler
 8080 North Palm Avenue, Third Floor
 Post Office Box 28902
 Fresno, CA 93729-8902
 559432-4500
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/10/2006	1	COMPLAINT against all defendants, filed by Equal Employment Opportunity Commission. (Attachments: # 1 Civil Cover Sheet)(Ordonio-Dixon, Linda) (Entered: 05/10/2006)
05/10/2006		AT CASE CONVERTED to CIVIL CASE 1:06-cv-561 AWI DLB(Martin, S) (Entered: 05/11/2006)
05/11/2006	2	SUMMONS ISSUED as to *Grimmway Enterprises, Inc. d/b/a Grimmway Farms, Esparza Enterprises, Inc.* with answer to complaint due within *20* days. Attorney *Linda Susan Ordonio-Dixon* *U.S. Equal Employment Opportunity Commission* *350 The Embarcadero, Suite 500* *San Francisco, CA 94105-1260*. (Martin, S) (Entered: 05/11/2006)
05/11/2006	3	CIVIL NEW CASE DOCUMENTS ISSUED; Initial Scheduling Conference set for 8/10/2006 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Attachments: # 1 Consent Forms # 2 VDRP Forms) (Martin, S) (Entered: 05/11/2006)
05/11/2006	4	CLERK'S NOTICE (TEXT ENTRY ONLY) to Linda Ordonio-Dixon) re 1 Complaint. Your document is not signed. Your signature on an electronically filed document is indicated by /s/ First Name-Last Name. Please include this text on the signature line of all future filings(Local Rule 7-131c). (Carter-Ford, R) (Entered: 05/11/2006)

07/27/2006	5	MOTION for EXTENSION Case Management Conference and Deadlines by Equal Employment Opportunity Commission by Equal Employment Opportunity Commission. (Attachments: # 1 Affidavit of Linda Ordonio-Dixon# 2 Exhibit)(Ordonio-Dixon, Linda) (Entered: 07/27/2006)
08/09/2006	6	ORDER TO CONTINUE SCHEDULING CONFERENCE Scheduling Conference CONTINUED from 8/10/2006 to 10/12/2006 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. signed by Judge Dennis L. Beck on 8/9/2006. (Hernandez, M) (Entered: 08/09/2006)
10/05/2006	7	MOTION to CONTINUE <i>CASE MANAGEMENT CONFERENCE DATES</i> by Equal Employment Opportunity Commission. (Attachments: # 1 Affidavit of Ordonio-Dixon)(Ordonio-Dixon, Linda) (Entered: 10/05/2006)
10/06/2006	8	ORDER Scheduling Conference RESET from 10/12/2006 to 12/14/2006 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. Joint Scheduling Report Deadline 12/7/2006. signed by Judge Dennis L. Beck on 10/6/2006. (Hernandez, M) (Entered: 10/06/2006)
12/07/2006	9	MOTION for EXTENSION To Continue Case Mgt Conference by Equal Employment Opportunity Commission by Equal Employment Opportunity Commission. (Attachments: # 1 Affidavit of Ordonio-Dixon)(Ordonio-Dixon, Linda) (Entered: 12/07/2006)
12/13/2006	10	THIRD MOTION TO EXTEND SCHEDULING CONFERENCE AND ORDER The Scheduling Conference is CONTINUED to 2/21/2007 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. The Joint Scheduling Report is due 2/14/2007. signed by Judge Dennis L. Beck on 12/13/2006. (Hernandez, M) (Entered: 12/14/2006)
02/14/2007	11	MOTION for EXTENSION 2 weeks by Equal Employment Opportunity Commission <i>Motion for Extension of Case Management Conference</i> by Equal Employment Opportunity Commission. (Ordonio-Dixon, Linda) (Entered: 02/14/2007)
02/15/2007	12	CLERK'S NOTICE (TEXT ONLY) to Linda Ordonio-Dixon re 11 MOTION for EXTENSION 2 weeks by Equal Employment Opportunity Commission. Your document is not signed. Your signature on an electronically filed document is indicated by/s/ First Name-Last Name. Please include this text on the signature line of all future filings(Local Rule 7-131c). (Gil-Garcia, A) (Entered: 02/15/2007)
02/20/2007	13	ORDER GRANTING 7 Motion to Continue Scheduling Conference from 2/21/2007 to 3/7/2007 at 9:00 am before Magistrate Judge Beck. signed by Judge Dennis L. Beck on 2/20/2007. (Hernandez, M) (Entered: 02/20/2007)
02/24/2007	14	ORDER by Chief Judge David F. Levi; Due to the recent appointment of Judge Lawrence J. O'Neill to the position of U.S. District Judge, this action is REASSIGNED from Judge Anthony W. Ishii to Judge Lawrence J. O'Neill for all further proceedings. (Timken, A) (Entered: 02/24/2007)
02/27/2007	15	MINUTE ORDER: (TEXT ONLY) DUE TO REASSIGNMENT OF DISTRICT JUDGE - Scheduling Conference set for 3/7/2007 at 09:00 AM in Courtroom 4(LJO) before District Judge Lawrence J. O'Neill. NOTE: DATE SET BEFORE JUDGE BECK HAS BEEN VACATED (3/7/07). Counsel may appear by

		telephone by arranging a one-line conference call and calling the court at (559) 499-5680. (Lira, I) (Entered: 02/27/2007)
02/28/2007	16	MINUTE ORDER: (TEXT ONLY) Scheduling Conference currently set for 3/7/07 has been CONTINUED 6/6/2007 at 08:30 AM in Courtroom 4(LJO) before District Judge Lawrence J. O'Neill. A joint scheduling report is due 5/30/07. (Lira, I) (Entered: 02/28/2007)
03/13/2007	17	STIPULATION <i>and Proposed Order</i> by Grimmway Enterprises, Inc., Equal Employment Opportunity Commission, Esparza Enterprises, Inc.. Attorney Bauer, Paul J. added. (Bauer, Paul) (Entered: 03/13/2007)
03/15/2007	18	CERTIFICATE of SERVICE by Equal Employment Opportunity Commission. (<i>Proof of Service</i>) (Ordonio-Dixon, Linda) (Entered: 03/15/2007)
03/15/2007	19	CERTIFICATE of SERVICE by Equal Employment Opportunity Commission. " <i>Proof of Service</i> " of Grimmway Enterprises, Inc. d/b/a Grimmway Farms (Ordonio-Dixon, Linda) (Entered: 03/15/2007)
03/15/2007	20	CERTIFICATE of SERVICE by Equal Employment Opportunity Commission. " <i>Proof of Service</i> " of Esparza Enterprises, Inc. (Ordonio-Dixon, Linda) (Entered: 03/15/2007)
03/15/2007	21	MINUTE ORDER: Scheduling Conference currently set for 6/6/07 has been CONTINUED to 6/12/2007 at 08:45 AM in Courtroom 4(LJO) before District Judge Lawrence J. O'Neill. STANDING ORDER attached. (Judge O'Neill is required to attend an out-of-district seminar the week of June 5th). (Lira, I) (Entered: 03/15/2007)
03/16/2007	22	CLERK'S NOTICE: Attn: Linda Ordonio-Dixon regarding 20 Certificate of Service, 18 Certificate of Service, 19 Certificate of Service - Proof of Service of Summons and Complaint ~ When filing a proof of service of the Summons and Complaint, you must use the event Summons Returned Executed under the Service of Process category. Please re-file your document using the correct event. (Kusamura, W) (Entered: 03/16/2007)
03/16/2007	23	SUMMONS RETURNED EXECUTED by Equal Employment Opportunity Commission. Grimmway Enterprises, Inc. served on 2/23/2007, answer due 3/15/2007. (Ordonio-Dixon, Linda) (Entered: 03/16/2007)
03/16/2007	24	SUMMONS RETURNED EXECUTED by Equal Employment Opportunity Commission. Esparza Enterprises, Inc. served on 2/23/2007, answer due 3/15/2007. (Ordonio-Dixon, Linda) (Entered: 03/16/2007)
03/19/2007	25	STIPULATION and ORDER extending defendants response time. Response due by 5/4/2007. Order signed by Judge Lawrence J. O'Neill on 3/19/2007. (Timken, A) (Entered: 03/20/2007)
04/12/2007	26	MOTION to INTERVENE by Ana-Berta Rubio. Attorney Smith, William J. added. Motion Hearing set for 5/18/2007 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Smith, William) (Entered: 04/12/2007)
04/12/2007	27	MEMORANDUM/RESPONSE in SUPPORT re 26 MOTION to INTERVENE. (Smith, William) (Entered: 04/12/2007)

04/12/2007	28	DECLARATION of William J. Smith in in Support of Motion for Leave to Intervene re 26 MOTION to INTERVENE. (Attachments: # 1 Exhibit A)(Smith, William) (Entered: 04/12/2007)
04/12/2007	29	PROPOSED ORDER Proposed Order re 26 MOTION to INTERVENE. (Smith, William) (Entered: 04/12/2007)
04/13/2007	30	STATEMENT of NON-OPPOSITION to MOTION re 26 MOTION to INTERVENE. (Ordonio-Dixon, Linda) (Entered: 04/13/2007)
05/04/2007	31	ANSWER to COMPLAINT with Jury Demand by Grimmway Enterprises, Inc.. Attorney Brumfield, Lorna Hislop added.(Brumfield, Lorna) (Entered: 05/04/2007)
05/04/2007	32	ANSWER to COMPLAINT by Esparza Enterprises, Inc..(Bauer, Paul) (Entered: 05/04/2007)
05/07/2007	33	MINUTE ORDER: (TEXT ENTRY ONLY) RESET MOTION HEARING as to 26 MOTION to INTERVENE: Motion Hearing RESET from 5/18/2007 to 5/17/2007 at 02:00 PM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Hernandez, M) (Entered: 05/07/2007)
05/10/2007	34	STANDING ORDER for Judge O'Neill (Lira, I) (Entered: 05/10/2007)
05/10/2007	35	MOTION for SUMMARY JUDGMENT <i>or in the alternative Summary Adjudication of Issues</i> by Grimmway Enterprises, Inc.. Attorney Kinney, Jay Nile added. Motion Hearing set for 6/18/2007 at 08:30 AM in Courtroom 4(LJO) before District Judge Lawrence J. O'Neill. (Kinney, Jay) (Entered: 05/10/2007)
05/10/2007	36	MEMORANDUM/RESPONSE in SUPPORT re 35 MOTION for SUMMARY JUDGMENT <i>or in the alternative Summary Adjudication of Issues</i> . (Kinney, Jay) (Entered: 05/10/2007)
05/10/2007	37	DECLARATION of Rita C, Serda in Support of re 35 MOTION for SUMMARY JUDGMENT <i>or in the alternative Summary Adjudication of Issues</i> . (Kinney, Jay) (Entered: 05/10/2007)
05/10/2007	38	DECLARATION of Sean McNally in Support of re 35 MOTION for SUMMARY JUDGMENT <i>or in the alternative Summary Adjudication of Issues</i> . (Kinney, Jay) (Entered: 05/10/2007)
05/10/2007	39	STATEMENT of undisputed material facts in support of motion for summary judgment or summary adjudication by Defendant Grimmway Enterprises, Inc. re 35 MOTION for SUMMARY JUDGMENT <i>or in the alternative Summary Adjudication of Issues</i> . (Kinney, Jay) (Entered: 05/10/2007)
05/10/2007	40	APPENDIX by Grimmway Enterprises, Inc. re 35 MOTION for SUMMARY JUDGMENT <i>or in the alternative Summary Adjudication of Issues</i> filed by Grimmway Enterprises, Inc.,. <i>Appendix of non-case/statutory authorities cited</i> (Kinney, Jay) (Entered: 05/10/2007)
05/14/2007	41	STATEMENT of NON-OPPOSITION to MOTION re 26 MOTION to INTERVENE. <i>by Defendant GRIMMWAY</i> (Brumfield, Lorna) (Entered: 05/14/2007)

05/14/2007	42	STATEMENT of NON-OPPOSITION to MOTION re 26 MOTION to INTERVENE. by <i>Defendant Esparza Enterprises, Inc.</i> (Bauer, Paul) (Entered: 05/14/2007)
05/15/2007	43	MINUTE ORDER: (TEXT ENTRY ONLY) Motion to Intervene by Ana-Berta Rubio 26 set for hearing 5/17/07 at 2:00pm before Magistrate Judge Beck IS TAKEN OFF CALENDAR. The motion is unopposed, the court will issue written order. (Hernandez, M) (Entered: 05/15/2007)
05/18/2007	44	ORDER GRANTING Motion to Intervene 26 . Signed by Judge Dennis L. Beck on 5/15/07. (Hellings, J) (Entered: 05/18/2007)
05/18/2007	45	INTERVENOR COMPLAINT by Ana-Berta Rubio.(Smith, William) (Entered: 05/18/2007)
05/31/2007	46	MEMORANDUM/RESPONSE in OPPOSITION re 35 MOTION for SUMMARY JUDGMENT <i>or in the alternative Summary Adjudication of Issues.</i> (Attachments: # 1 Statement of Disputed Facts# 2 Statement of Response/Objections to Grimmway Facts# 3 Declaration of Moore# 4 Exhibit s to the Decl of Moore)(Ordonio-Dixon, Linda) (Entered: 05/31/2007)
06/04/2007	47	JOINDER by Ana-Berta Rubio in plaintiff's opposition to defendant's motion for summary judgment 46 35 . (Smith, William) (Entered: 06/04/2007)
06/06/2007	48	JOINT SCHEDULING REPORT by Grimmway Enterprises, Inc.. (Brumfield, Lorna) (Entered: 06/06/2007)
06/06/2007	49	MINUTE ORDER: (TEXT ONLY) Scheduling Conference currently set for 6/12/07 has been CONTINUED to 6/28/2007 at 08:30 AM in Courtroom 4(LJO) before District Judge Lawrence J. O'Neill. (Lira, I) (Entered: 06/06/2007)
06/06/2007	50	ANSWER to INTERVENOR COMPLAINT by Grimmway Enterprises, Inc..(Brumfield, Lorna) (Entered: 06/06/2007)
06/11/2007	51	REPLY to RESPONSE to MOTION re 35 MOTION for SUMMARY JUDGMENT <i>or in the alternative Summary Adjudication of Issues.</i> (Kinney, Jay) (Entered: 06/11/2007)
06/11/2007	52	DECLARATION of Lorna H. Brumfield in support of re 35 MOTION for SUMMARY JUDGMENT <i>or in the alternative Summary Adjudication of Issues. Reply to Opposition</i> (Kinney, Jay) (Entered: 06/11/2007)
06/11/2007	53	DECLARATION of Rita C. Serda in Support of re 35 MOTION for SUMMARY JUDGMENT <i>or in the alternative Summary Adjudication of Issues. Reply to Opposition</i> (Kinney, Jay) (Entered: 06/11/2007)
06/11/2007	54	REPLY to RESPONSE to MOTION re 35 MOTION for SUMMARY JUDGMENT <i>or in the alternative Summary Adjudication of Issues. Reply to Opposition to Evidence</i> (Kinney, Jay) (Entered: 06/11/2007)
06/12/2007	55	DECISION ON DEFENDANT'S SUMMARY JUDGMENT MOTION 35 : SCHEDULING CONFERENCE currently set for 6/28/07 has been VACATED AND RESET for 8/31/07 at 8:30am. signed by Judge Lawrence J. O'Neill on 6/12/07. (Lira, I) (Entered: 06/12/2007)

07/20/2007	56	NOTICE by Ana-Berta Rubio. <i>Notice of Unavailability of Counsel</i> (Smith, William) (Entered: 07/20/2007)
08/17/2007	57	MINUTE ORDER: (TEXT ONLY ENTRY) Scheduling Conference currently set for 831/07 has been CONTINUED to 9/26/2007 at 08:30 AM in Courtroom 4(LJO) before District Judge Lawrence J. O'Neill. Parties are in settlement negotiations. (Lira, I) (Entered: 08/17/2007)
09/20/2007	58	NOTICE of SETTLEMENT by Ana-Berta Rubio.Filing due by 10/15/2007. (Smith, William) (Entered: 09/20/2007)
09/21/2007	59	ORDER AFTER SETTLEMENT: Dismissal due by 10/22/2007 signed by Judge Lawrence J. O'Neill on 9/21/07. (Lira, I) (Entered: 09/21/2007)
10/24/2007	60	MINUTE ORDER: Request for 2-week continuance of date for filing the dismissal is GRANTED. The Court orders that dispositive documents be submitted no later than November 7, 2007. (Lira, I) (Entered: 10/24/2007)
11/07/2007	61	PROPOSED ORDER [PROPOSED] CONSENT DECREE by Equal Employment Opportunity Commission. (Ordonio-Dixon, Linda) (Entered: 11/07/2007)
11/15/2007	62	Consent Decree, signed by Judge Lawrence J. O'Neill on 11/9/2007. (Scrivner, E) (Entered: 11/15/2007)
11/15/2007	63	Consent Decree, signed by Judge Lawrence J. O'Neill on 11/15/2007. (Scrivner, E) (Entered: 11/19/2007)
11/19/2007	64	ORDER To Administratively Close Action, signed by Judge Lawrence J. O'Neill on 11/16/2007. CASE CLOSED. (Scrivner, E) (Entered: 11/19/2007)

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