

(CWx), CLOSED

U.S. District Court
UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA - WESTERN
DIVISION (U.S. Courthouse) (Eastern Division - Riverside)
CIVIL DOCKET FOR CASE #: 5:00-cv-00224-RT-CW

US EEOC v. Hitchin Lucerne Inc
Assigned to: Judge Robert J. Timlin
Referred to: Discovery Carla M. Woehrle
Demand: \$0
Cause: 42:2000 Job Discrimination (Age)

Date Filed: 04/14/2000
Date Terminated: 02/26/2004
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**U S Equal Employment Opportunity
Commission**

represented by **David Ingram**
US Equal Employment Opportunity
Commission
Los Angeles District Office
255 E Temple St, 4th Fl
Los Angeles, CA 90012
213-894-1000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter F Laura
US Equal Employment Opportunity
Commission
Los Angeles District Office
255 E Temple St, 4th Fl
Los Angeles, CA 90012
213-894-1000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Hitchin Lucerne Inc
doing business as
Lucerne Valley Market IGA/Ace Hardware

represented by **Alfred J Landegger**
Landegger & Baron
15760 Ventura Blvd, Ste 1200
Encino, CA 91436
818-986-7561
Fax: 818-986-5147
TERMINATED: 12/26/2000
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Frank A Magnanimo
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310-474-7022

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TERMINATED: 12/26/2000

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John J Higgins

Higgins Harris Sherman & Rohr

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760-568-3009

Fax: 760-568-9719

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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/14/2000	1	COMPLAINT filed referred to Discovery Carla M. Woehrle; Demand for jury trial (am) (Entered: 04/18/2000)
04/14/2000	2	CERTIFICATION OF INTERESTED PARTIES filed by plaintiff US EEOC (am) (Entered: 04/18/2000)
06/02/2000	3	NOTICE OF WAIVER OF SERVICE of SUMMONS by defendant Hitchin Lucerne Inc signed for by dft's atty on 5/31/00 (mrgo) (Entered: 06/07/2000)
06/27/2000	4	ANSWER filed by defendant Hitchin Lucerne Inc to complaint [1-1] (am) (Entered: 07/05/2000)
06/27/2000	5	CERTIFICATION OF INTERESTED PARTIES filed by defendant Hitchin Lucerne Inc (am) (Entered: 07/05/2000)
06/30/2000	6	JOINT REPORT OF EARLY MEETING OF COUNSEL filed. Estimated length of trial 5 days (am) (Entered: 07/06/2000)
07/05/2000	7	NOTICE AND REQUEST Of Settlement Procedure Selection fld Parties request to apr before Discovery Carla M. Woehrle for sttlmnt procdgs Order by Judge Robert J. Timlin granting settlement procedure selection request [7-1] (am) (Entered: 07/07/2000)
07/14/2000	8	MINUTES: ; mandatory status conference set on 9:30 10/19/00 by Judge Robert J. Timlin CR: n/a (am) (Entered: 07/19/2000)
10/11/2000	10	NOTICE OF CHANGE Of Address filed by atty Alfred J Landegger for defendant Hitchin Lucerne Inc (am) (Entered: 10/16/2000)
10/16/2000	9	MINUTES: On crt's own mot, mandatory status conference set 10/19/00 @ 10:00 has been contd to 2:30 1/19/01 by Judge Robert J. Timlin (la) (Entered: 10/16/2000)
12/26/2000	11	ATTORNEY SUBSTITUTION: terminating attorney Frank A Magnanimo for Hitchin Lucerne Inc, attorney Alfred J Landegger for Hitchin Lucerne Inc by defendant Hitchin Lucerne Inc and substituting attorney John J Higgins by Judge Robert J. Timlin (am) (Entered: 12/27/2000)
01/05/2001	12	STIPULATION and ORDER cont MSC by Judge Robert J. Timlin ; mandatory status conference set on 1:30 3/23/01 (mrgo) (Entered: 01/08/2001)

03/02/2001	13	MINUTES: In chambers ; settlement conference 3:00 4/12/01 crtrm 630, Roybal Bldg, 6th Fl, Rm 630, Los Angeles ; ptys w/auth to negotiate to attend; ptys shl subm settlmt conf stmts direct to chambers nlt 3 crt days bf conf & to be exchg w/opp cnsl, and Not fld w/crt; proposals for settmt & cnsl's own evaluation of case not yet communicated to opp cnsl may be in sep confid doc subm to Judge Woehrle not exchg w/cnsl by Discovery Carla M. Woehrle CR: none (send) (lc) Modified on 03/16/2001 (Entered: 03/05/2001)
03/14/2001	14	MINUTES: Scheduling conference set on 4:00 5/25/01 Effectie 1/16/01 the USDC will be located @ the address listed. by Judge Robert J. Timlin CR: None (am) (Entered: 03/15/2001)
04/09/2001	15	STIPULATION and ORDER by Discovery Carla M. Woehrle IT IS SO ORD That the Stip be ent & that the settlement conference be taken off cal to be reset in the event that summary jgm is not granted on behalf of the dft (SEND) (ir) (Entered: 04/11/2001)
05/03/2001	16	MINUTES: by Magistrate Judge Carla M. Woehrle ; settlement conference 3:00 6/14/01 CR: N/A (SEND) (yc) (Entered: 05/07/2001)
05/16/2001	17	MINUTES: ; Scheduling conference set on 4:00 7/6/01 Effective 1/16/01 the USDC will be located @ the address listed by Judge Robert J. Timlin CR: None (am) (Entered: 05/17/2001)
06/11/2001	18	NOTICE OF HEARING ON MOTION AND MOTION by defendant Hitchin Lucerne Inc for summary judgment ; memo of PA; decl of Michael Kruppe; motion hearing set for 10:00 7/16/01 Lodged prospd finding of fact & jgm (mrgo) (Entered: 06/11/2001)
06/14/2001	23	MINUTES: In chambers: sttlmnt conf held, no agreement reached; fur scheduling conf set for 3:00 9/27/01 following calendared hrg date on dfts pend mot for summ jgm by Discovery Carla M. Woehrle CR: none (send) (lc) (Entered: 06/29/2001)
06/18/2001	19	ORDER vacting ord dtd 7/28/95 & directing no oral arg on mos in civil acnts. by Judge Robert J. Timlin (am) (Entered: 06/19/2001)
06/18/2001	20	EX PARTE APPLICATION filed by plaintiff US EEOC to continue hrg on dfts mot for summ jgm set for 7/16/01 Lodged prospd ord (am) (Entered: 06/19/2001)
06/21/2001	21	ORDER by Judge Robert J. Timlin granting exparte motion to continue hrg on dfts mot for summ jgm set for 7/16/01 [20-1], cont'g hearing on motion for summary judgment [18-1] 10:00 8/27/01 (am) (Entered: 06/22/2001)
06/21/2001	22	OPPOSITION by defendant Hitchin Lucerne Inc to plf's exparte motion to continue hrg on dfts mot for summ jgm set for 7/16/01 [20-1]; decl of Michael A Kruppe (mrgo) (Entered: 06/28/2001)
06/29/2001	24	STIPULATION and ORDER by Judge Robert J. Timlin ; mandatory status/scheduling conference taken off cal to be reset in the event that summ jgm is not granted on behalf of the dft. (am) (Entered: 07/03/2001)
08/10/2001	25	OPPOSITION by plaintiff US EEOC to motion for summary judgment [18-1] (am) (Entered: 08/14/2001)
08/10/2001	26	STATEMENT OF GENUINE ISSUES IN OPPOSITION by plaintiff US EEOC re motion for summary judgment [18-1] (am) (Entered: 08/14/2001)
08/10/2001	27	OBJECTIONS filed by plaintiff US EEOC to evidence in suppt of its motion for summary judgment [18-1] (am) (Entered: 08/14/2001)
08/16/2001	28	REPLY by defendant Hitchin Lucerne Inc to plf's opp dft's motion for summary judgment [18-1] (mrgo) (Entered: 08/17/2001)

08/16/2001	29	OBJECTIONS filed by defendant Hitchin Lucerne Inc to evid submitted by plf in opp to dft's motion for summary judgment [18-1] (mrgo) (Entered: 08/17/2001)
09/26/2001	30	STIPULATION and ORDER by Discovery Carla M. Woehrle Settlement conference cont to 3:00 11/14/01 (PSEND) (ir) (Entered: 09/26/2001)
11/09/2001	31	STIPULATION and ORDER by Discovery Carla M. Woehrle that the settlement conference be continued until date & time to be set following summary jgm ruling, if necessary. Counsel to contact clerk. (bg) (Entered: 11/13/2001)
05/16/2003	32	MINUTES: Order GRANT in part DENY in part defendant's motion for summary judgment [18-1]; 1) Hitchin's motion for summary judgment on the Title VII & ADEA age discrimination claims is denied; 2) Hitchin's motion for summary judgment on the Title VII gender discrimination claim is denied; 3) Hitchin's motion for summary judgment on the Title VII retaliation claim is granted by Judge Robert J. Timlin CR: n/a (see document for specifics) (mrgo) (Entered: 05/19/2003)
05/22/2003	33	MINUTES: Order setting scheduling conference ; mandatory status/scheduling conf set for 9:00am on 8/18/03 by Judge Robert J. Timlin CR: n/a (mrgo) (Entered: 05/23/2003)
06/18/2003		PLACED IN FILE - NOT USED Stipulation and Order Lodged 6/11/03 (seal) (Entered: 06/19/2003)
06/20/2003	34	JOINT RULE 26 DISCOVERY PLAN filed; est length of trial 3-5 days (mrgo) (Entered: 06/23/2003)
07/31/2003	35	MINUTES (IN CHAMBERS) Settlement conference held . Counsel are directed to contact the court to schedule further settlement proceedings in the event that it appears additional discussions could be productive by Magistrate Judge Carla M. Woehrle CR: N/A (rl) (Entered: 08/08/2003)
08/18/2003	36	MINUTES: SCHEDULING CONFERENCE (TELEPHONIC): DISCOVERY has been completed; LAW/MOTION CUT/OFF-NONE; PRE-TRIAL CONFERENCE is set for 4:30 10/17/03; JURY TRIAL is set for 8:30 10/28/03, EST: 5 Days by Judge Robert J. Timlin; CR: Phyllis Preston (ad) (Entered: 08/19/2003)
09/10/2003	37	STIPULATION and ORDER by Judge Robert J. Timlin continuing the Pretrial Conference to 10:30am on 1/12/04; & the jury trial to 8:30am on 2/3/04 (mrgo) (Entered: 09/17/2003)
12/18/2003	38	JOINT EXHIBIT List by plaintiff US EEOC, defendant Hitchin Lucerne Inc (ad) (Entered: 12/19/2003)
12/18/2003	39	LIST OF TRIAL WITNESSES submitted by plaintiff US EEOC (ad) (Entered: 12/19/2003)
12/18/2003	40	MEMO OF CONTENTIONS OF FACT and LAW by plaintiff US EEOC (ad) (Entered: 12/19/2003)
12/19/2003	41	MEMO OF CONTENTIONS OF FACT and LAW by defendant Hitchin Lucerne Inc (ad) (Entered: 12/23/2003)
12/19/2003	42	LIST OF TRIAL WITNESSES submitted by defendant Hitchin Lucerne Inc (ad) (Entered: 12/23/2003)
01/08/2004		PLACED IN FILE - NOT USED re defendant's statement of uncontroverted facts and conclusions of law lodged 6/11/01 submitted by defendant Hitchin Lucerne Inc. (mrgo,) (Entered: 01/09/2004)
01/08/2004		PLACED IN FILE - NOT USED re proposed judgment lodged 6/11/01 submitted by defendant Hitchin Lucerne Inc. (mrgo,) (Entered: 01/09/2004)

01/09/2004	43	Memorandum of Points and Authorities in support of MOTION IN LIMINE to Admit the EEOC's Letter of Determination filed by plaintiff U S Equal Employment Opportunity Commission (ad,) (Entered: 01/12/2004)
01/12/2004	44	MINUTES: PRE-TRIAL CONFERENCE: Court signs the Pre-Trial Conference Order; If the Court is unable to commence the trial on 2/3/04, the case will Trail and the Court will give counsel 48 hours notice of when the Trial will start by Judge Robert J. Timlin; Court Reporter: Walter Ledge (ad,) (Entered: 01/12/2004)
01/12/2004	45	NOTICE OF MOTION AND MOTION IN LIMINE filed by defendant Hitchin Lucerne Inc to Bar irrelevant evidence regarding alleged retaliation and to bar documents, testimony and evidence eliminated by summary judgment (ad,) (Entered: 01/13/2004)
01/12/2004	46	OPPOSITION filed by defendant Hitchin Lucerne Inc to EEOC's MOTION IN LIMINE to Admit the EEOC's Letter of Determination [43] (ad,) (Entered: 01/13/2004)
01/12/2004	47	PRETRIAL CONFERENCE ORDER approved by Judge Robert J. Timlin: (see document for further details)(ad,) (Entered: 01/13/2004)
01/20/2004	48	MEMORANDUM in Opposition to MOTION IN LIMINE to Bar irrelevant evidence regarding alleged retaliation and documents, testimony and evidence eliminated by summary judgment[45] filed by Plaintiff U S Equal Employment Opportunity Commission. (am,) (Entered: 01/26/2004)
01/22/2004	49	TRIAL BRIEF filed by defendant Hitchin Lucerne Inc. (mrgo,) (Entered: 01/26/2004)
01/23/2004	50	TRIAL BRIEF filed by plaintiff U S Equal Employment Opportunity Commission. (mrgo,) (Entered: 01/28/2004)
01/23/2004	51	PROPOSED VOIR DIRE QUESTIONS filed by plaintiff U S Equal Employment Opportunity Commission. (mrgo,) (Entered: 01/28/2004)
01/26/2004	52	REPLY to defendant's opposition to its MOTION IN LIMINE to Bar irrelevant evidence regarding alleged retaliation and documents, testimony and evidence eliminated by summary judgment[45] filed by plaintiff U S Equal Employment Opportunity Commission. (mrgo,) (Entered: 01/28/2004)
01/26/2004	53	PROPOSED JOINT JURY INSTRUCTIONS and special verdict form filed by plaintiff U S Equal Employment Opportunity Commission. (mrgo,) Modified on 1/28/2004 (mrgo,). (Entered: 01/28/2004)
01/26/2004	54	ADDITIONAL PROPOSED JURY INSTRUCTIONS and special verdict form filed by defendant Hitchin Lucerne Inc. (mrgo,) (Entered: 01/28/2004)
01/27/2004	55	PROPOSED JURY INSTRUCTIONS filed by plaintiff U S Equal Employment Opportunity Commission. (mrgo,) (Entered: 01/28/2004)
01/27/2004	56	ADDENDUM filed by Plaintiff U S Equal Employment Opportunity Commission to Joint Exhibit List[38] (mrgo,) (Entered: 01/28/2004)
02/02/2004	57	OBJECTIONS filed by Plaintiff U S Equal Employment Opportunity Commission to Defendant's Proposed Jury Instructions [53], [54] (ad,) (Entered: 02/04/2004)
02/05/2004	58	MINUTES: ORDER VACATING TRAILING STATUS AND SETTING TRIAL DATE: Court vacates the trial trailing status; The Trial will commence on 2/17/2004 at 08:30 AM by Honorable Robert J. Timlin (ad,) (Entered: 02/06/2004)
02/11/2004	59	MINUTES: NOTICE OF CONTINUANCE OF TRIAL DATE: Please take notice that on the Court's own motion, the Jury Trial is continued to 4/27/2004 08:30 AM by Honorable Robert J. Timlin; Court Reporter: None Present (ad,) (Entered: 02/12/2004)

02/26/2004	<p>60 CONSENT DECREE by Judge Robert J. Timlin: This Settlement is final ad binding upon the Commission and Hitchin Lucerne as to all claims alleged in the Complaint filed in the Settled Action, the Court finds the following: A. The Court has jurisdiction over both the subject matter of the Settled Action and the parties to the Settled Action. B. The terms and provisions of this Decree are fair, reasonable and just. The rights of Hitchin Lucerne, the Commission and the Charging Party are adequately protected by this Decree; IT IS THEREFORE ORDERRED, ADJUDGED AND DECREED AS FOLLOWS: 5. Hitchin Lucerne agree to tender a check of \$9,500.00 and a 1099 form to Blanche Kraft at the address provided by the EEOC made payable to Blanche Kraft within ten days after this Decree has been entered. Within ten days of the entry of this Decree a copy of the check sent pursuant to this paragraph shall be submitted, with a copy of the 1099 form, to the Regional Attorney, Equal Employment Opportunity Commission; (see document for further details) (Made JS-6. Case Terminated.)(ad,) (Entered: 02/26/2004)</p>
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