

(PLAx), DISCOVERY

U.S. District Court
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)
CIVIL DOCKET FOR CASE #: 2:06-cv-01963-DDP-PLA

US Equal Employment Opportunity Commission v. Lawrys
Restaurants Inc
Assigned to: Judge Dean D. Pregerson
Referred to: Magistrate Judge Paul L. Abrams
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 03/31/2006
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**US Equal Employment Opportunity
Commission**

represented by **Anna Y Park**
US Equal Employment Opportunity
Commission
Los Angeles District Office
255 E Temple St, 4th Fl
Los Angeles, CA 90012
213-894-1083
Email: thomas.profit@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dana C Johnson
US Equal Employment Opportunity
Commission
Los Angeles District Office
255 E Temple St, 4th Fl
Los Angeles, CA 90012
213-894-1083
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Lawrys Restaurants Inc
doing business as
Lawrys The Prime Rib
doing business as
Five Crowns
doing business as
Tam OShanter Inn

represented by **Ari Karen**
Venable
575 7th Street, NW
Washington, DC 20004
US
202-344-4000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kara M Maciel
Krupin O'Brien

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 202-530-0700
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tod V Beebe
 Barton Klugman & Oetting
 333 South Grand Avenue, Suite 3700
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 213-621-4000
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Trevor S Blake
 Venable
 575 7th Street, N W
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/31/2006	1	COMPLAINT against defendant Lawrys Restaurants Inc.(No fee required) Jury Demanded. , filed by plaintiff US Equal Employment Opportunity Commission.(rrey,) (Entered: 04/05/2006)
03/31/2006		20 Day Summons Issued re Complaint - (Discovery)[1] as to Lawrys Restaurants Inc. (rrey,) (Entered: 04/05/2006)
03/31/2006	2	CERTIFICATION AS TO Interested Parties filed by Plaintiff US Equal Employment Opportunity Commission. (rrey,) (Entered: 04/05/2006)
03/31/2006		FAX number for Attorney Dana C Johnson, Anna Y Park is 213-894-1301. (rrey,) (Entered: 04/05/2006)
04/11/2006	<u>3</u>	MINUTES OF IN CHAMBERS ORDER This action has been assigned to the calendar of Judge Dean D. Pregerson. Counsel are encouraged to review the Central Districts website for additional information. The address is http://www.cacd.uscourts.gov . It is not necessary to clear a motion date with the Court Clerk prior to filing the motion. The Court hears motions only on Mondays at 10:00 a.m., by Judge Dean D. Pregerson. Court Reporter: none.(jc,) (Entered: 04/11/2006)
04/13/2006	4	WAIVER OF SERVICE of Summons Returned Executed upon Lawrys Restaurants Inc, doing business as Lawrys The Prime Rib, Five Crowns and Tam O Shanter Inn waiver sent by Plaintiff on 4/6/2006, answer due 6/5/2006. Waiver

		of Service signed by Tod V Beebe, Attorney. (ir,) (Entered: 04/14/2006)
04/14/2006	5	APPLICATION OF NON RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE for attorney Ari Karen to Appear Pro Hac Vice filed by Defendant Lawrys Restaurants Inc. Lodged order. (shb,) (Entered: 04/20/2006)
04/14/2006	6	APPLICATION OF NON RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC CASE for attorney Kara M Maciel to Appear Pro Hac Vice filed by Defendant Lawrys Restaurants Inc. Lodged order. (shb,) (Entered: 04/20/2006)
04/21/2006	7	ORDER by Judge Dean D. Pregerson Granting Application of Non-Resident Attorney Ari Karen to appear on behalf of Defendant Lawry's Restaurants, Inc. [5], adding attorney Tod V. Beebe as local counsel. (gk,) (Entered: 04/24/2006)
04/21/2006		FAX number for Attorney Tod V Beebe is 213-625-1832. (gk,) (Entered: 04/24/2006)
04/21/2006	8	ORDER by Judge Dean D. Pregerson Granting Application of Non-Resident Attorney Kara M. Maciel to appear on behalf of Defendant Lawry's Restaurants, Inc. [6], and designating local counsel Tod V. Beebe.(gk,) (Entered: 04/24/2006)
06/06/2006	9	STIPULATION AND ORDER by Judge Dean D. Pregerson that the time for Defendant Lawrys Restaurants Inc to respond to Plaintiffs complaint shall be extended 7 days. Response of Defendant shall be due 6/12/2006.(ir,) (Entered: 06/07/2006)
06/12/2006	10	CERTIFICATION as to Interested Parties filed by Defendant Lawrys Restaurants Inc. (ir,) (Entered: 06/13/2006)
06/12/2006	11	NOTICE OF MOTION to Dismiss EEOC failure to conciliate filed by Defendant Lawrys Restaurants Inc. Motion set for hearing on 7/10/2006 at 10:00 AM before Judge Dean D. Pregerson. (ir,) (Entered: 06/13/2006)
06/12/2006	12	MEMORANDUM of Law in Support of Defendants Motion to Dismiss EEOC failure to conciliate in good faith [11] filed by Defendant Lawrys Restaurants Inc. (ir,) (Entered: 06/13/2006)
06/12/2006	13	DECLARATION of Ari Karen in support of its Motion to Dismiss EEOC failure to conciliate [11] filed by Defendant Lawrys Restaurants Inc. (ir,) (Entered: 06/13/2006)
06/23/2006	14	OPPOSITION to Defendant Lawry Motion to dismiss [11] filed by Plaintiff US Equal Employment Opportunity Commission. (ir,) (Entered: 06/27/2006)
06/23/2006	15	DECLARATION of Belynda Lindsey in support of Plaintiff EEOC Opposition to Defendant Lawry Motion to dismiss [11] filed by Plaintiff US Equal Employment Opportunity Commission. (ir,) (Entered: 06/27/2006)
07/05/2006		PLACED IN FILE - NOT USED re Stipulation Re Continuance of Hearing on Defendant's Motion to Dismiss submitted by defendant Lawrys Restaurants Inc. (kks) (Entered: 07/14/2006)
07/07/2006	16	MINUTES OF IN CHAMBERS ORDER held before Judge Dean D. Pregerson :, RE: MOTION to Dismiss EEOC failure to conciliate[11] COUNSEL ARE NOTIFIED that on the Court's own motion the MOTION TO DISMISS FOR EEOC'S FAILURE TO CONCILIATE (FILED ON 06-12-06) set for July 10,

		2006 at 10:00 a.m., is hereby taken off calendar, the hearing date vacated and will be decided without oral argument.Court Reporter: NONE. (jc,) (Entered: 07/07/2006)
07/10/2006	18	REPLY IN FURTHER Support of It's MOTION to Dismiss EEOC failure to conciliate in Good Faith[11] filed by Defendants Lawrys Restaurants Inc. (yl,) (Entered: 07/19/2006)
07/14/2006	17	ORDER by Judge Dean D. Pregerson Denying Defendants Motion to Dismiss for EEOC failure to conciliate [11] (ir,) (Entered: 07/17/2006)
07/14/2006		PLACED IN FILE - NOT USED re Proposed Order Denying Defendants Motion to dismiss for the EEOC failure to Conciliate in good faith, lodged 6/23/06 submitted by Plaintiff US Equal Employment Opportunity Commission. (ir,) (Entered: 07/20/2006)
07/19/2006		PLACED IN FILE - NOT USED re Stipulation and (Proposed) regarding Selection of Settlement Officer, lodged 7/18/06 submitted by Plaintiff and Defendant US Equal Employment Opportunity Commission, Lawrys Restaurants Inc. (ir,) (Entered: 07/27/2006)
07/28/2006	20	STIPULATION AND ORDER by Judge Dean D. Pregerson: IT IS SO ORDERED: EEOC believes that Magistrate Judge Nagle is familiar with the issues particular to settlement in this type of case; Magistrate Judge Nagles chambers has indicated a willingness to act as the settlement officer in this matter and has indicated that she would be available in late August and early September; The parties through their counsels of record stipulate to the designation of Magistrate Judge Nagle as the settlement officer in this suit; parties stipulate to allow defendant an additional 20 days after the date of the mediation to file its answer. Counsel for parties will contact Magistrate Judge Nagles chambers to schedule further settlement proceedings. (see document for further details)(klg,) (Entered: 08/07/2006)
08/01/2006	19	ANSWER to Complaint [1] with Jury Demand filed by Defendant Lawrys Restaurants Inc doing business as Lawrys The Prime Rib, Five Crowns, and Tam O'Shanter Inn.(ir,) (Entered: 08/03/2006)
08/11/2006	21	MINUTES OF IN CHAMBERS ORDER held before Judge Margaret A. Nagle setting a Settlement Conference in this matter for 9/20/2006 10:00 AM before Magistrate Judge Margaret A. Nagle. A second day, 9/21/06 at 10:00 AM has been set aside for the continued settlement conference, if needed. The confidential settlement conference statements are due on or before 9/13/06. (ec,) (Entered: 08/11/2006)
08/16/2006	22	AMENDED MINUTES OF IN CHAMBERS ORDER held before Judge Margaret A. Nagle setting a Settlement Conference in this matter for 9/27/2006 and 9/28/06 at 10:00 AM before Magistrate Judge Margaret A. Nagle. The confidential settlement conference statements are due on or before 9/20/06. (ec,) (Entered: 08/16/2006)
08/16/2006	23	SECOND AMENDED MINUTES OF IN CHAMBERS ORDER held before Judge Margaret A. Nagle resetting Settlement Conference for 9/26/2006 and 9/27/06 at 10:00 AM before Magistrate Judge Margaret A. Nagle. The confidential settlement conference statements are due on or before 9/19/06. (ec,)

		Modified on 8/17/2006 (ec,). (Entered: 08/17/2006)
09/26/2006	24	MINUTES OF Settlement Conference held before Judge Margaret A. Nagle - there is no settlement at this time. The continued settlement conference scheduled for 9/27/06 is hereby taken off calendar. The court schedules a further Settlement Conference for 10/31/2006 10:00 AM before Magistrate Judge Margaret A. Nagle. Tape #: 06-64. (ec,) (Entered: 09/28/2006)
10/31/2006	25	MINUTES OF Further Settlement Conference held before Judge Margaret A. Nagle - there is no settlement at this time. Tape #: 06-68. (ec,). (Entered: 11/01/2006)
11/28/2006	28	NOTICE OF MOTION AND MOTION for Summary Judgment filed by defendants Lawrys Restaurants Inc. Motion set for hearing on 1/8/2007 at 10:00 AM before Judge Dean D. Pregerson. (yc,) (Entered: 12/11/2006)
11/28/2006	29	MEMORANDUM of law in Support of MOTION for Summary Judgment[28] filed by defendants Lawrys Restaurants Inc. (yc,) (Entered: 12/11/2006)
11/28/2006	30	APPENDIX filed by Defendant Lawrys Restaurants Inc. Re: MOTION for Summary Judgment[28] (yc,) (Entered: 12/11/2006)
12/01/2006	26	APPLICATION of Non-Resident attorney to appear in a specific case Trevor S Blake to Appear. FEE PAID. filed by defendant Lawrys Restaurants Inc. Lodged proposed order. (klg,) (Entered: 12/05/2006)
12/04/2006	31	OPPOSITION to Defendant Lawry MOTION for Summary Judgment regarding Limitation of Relief to 300 Days before the Filing of Little charge of discrimination [28] filed by plaintiff US Equal Employment Opportunity Commission. (jp) (Entered: 12/16/2006)
12/04/2006	32	DECLARATION of BELYNDA LINDSEY re [28] filed by plaintiff US Equal Employment Opportunity Commission. (jp) (Entered: 12/16/2006)
12/04/2006	33	STATEMENT OF GENUINE ISSUES OF FACT AND CONCLUSIONS OF LAW AND OBJECTIONS to Defendant Lawry Proposed Statement of Uncontroverted Fact [28] filed by plaintiff US Equal Employment Opportunity Commission. (jp) (Entered: 12/16/2006)
12/04/2006	34	DECLARATION of DANA C. JOHNSON in support of MOTION for Summary Judgment [28] filed by plaintiff US Equal Employment Opportunity Commission. (jp) (Entered: 12/16/2006)
12/05/2006	27	ORDER ON APPLICATION of Non-Resident Attorney to Appear in a Specific Case by Trevor S Blake, Esq as counsel for Defendant Lawrys Restaurants Inc, designating Tod V Beebe as local counsel. Fee PAID. Approved by Judge Dean D. Pregerson.(klg,) (Entered: 12/06/2006)
12/15/2006	35	STIPULATION AND ORDER by Judge Dean D. Pregerson re CONTINUANCE of Hearing on Defendant's MOTION for Partial Summary Judgment[28] Motion set for hearing on 1/22/2007 at 10:00 AM before Judge Dean D. Pregerson.(yl,) (Entered: 01/12/2007)
12/20/2006	36	REPLY BRIEF in support of its MOTION for Partial Summary Judgment [28] filed by defendant Lawrys Restaurants Inc. (jp) (Entered: 01/13/2007)

12/20/2006	37	ADDITIONAL CASES REGARDING DEFENDANT REPLY BRIEF in support of its MOTION for Partial Summary Judgment [28] filed by defendant Lawrys Restaurants Inc. (jp) (Entered: 01/13/2007)
01/17/2007	38	ORDER REQUESTING SUPPLEMENTAL BRIEFING AND RESCHEDULING HEARING [28] by Judge Dean D. Pregerson: Briefs are not to exceed seven pages and are due by noon on Monday, 1/22/07. The Court will consider this briefing as well as the original moving papers, in ruling on the defendants motion for partial summary judgment. Furthermore, the defendants motion for partial summary judgment filed on 11/28/06 is hereby continued to 1/26/2007 at 10:00 AM. (see document for further details)(klg,) (Entered: 01/17/2007)
01/22/2007	39	NOTICE of Change of Address by Ari Karen attorney for Defendant Lawrys Restaurants Inc, changing firm name and address to Venable LLP, 575 7th Street, NW, Washington, DC 20004. Filed by defendant Lawrys Restaurants Inc (bb,) (Entered: 01/23/2007)
01/22/2007	40	NOTICE of Change of Attorney Information: adding Trevor S Blake as attorney as counsel of record for Lawry's Restaurants Inc for the reason indicated in the G-06 Notice. Filed by defendant Lawrys Restaurants Inc (bb,) (Entered: 01/23/2007)
01/22/2007	43	BRIEF FILED filed by defendant Lawrys Restaurants Inc. in further support of MOTION for Summary Judgment[28]. (bp,) (Entered: 01/30/2007)
01/22/2007	44	SUPPLEMENTAL BRIEF IN CONNECTION WITH ITS OPPOSITION TO MOTION for Summary Judgment[28] filed by plaintiff US Equal Employment Opportunity Commission. (bp,) (Entered: 01/30/2007)
01/22/2007	45	LODGMET OF ADDITIONAL AUTHORITY IN SUPPORT OF PLAINTIFF EEOC'S SUPPLEMENTAL BRIEF re MOTION for Summary Judgment[28] filed by plaintiff US Equal Employment Opportunity Commission. (bp,) (Entered: 01/30/2007)
01/26/2007		PLACED IN FILE - NOT USED: DEFENDANTS PROPOSED STATEMENT OF UNCONTROVERTED FACTS AND CONCLUSIONS OF LAW IN SUPPORT OF ITS MOTION FOR PARTIAL SUMMARY JUDGMENT submitted by defendant Lawrys Restaurants Inc. (klg,) (Entered: 01/26/2007)
01/26/2007		PLACED IN FILE - NOT USED: [PROPOSED] ORDER submitted by defendant Lawrys Restaurants Inc. (klg,) (Entered: 01/26/2007)
01/26/2007	41	MINUTES OF DEFENDANTS MOTION FOR PARTIAL SUMMARY JUDGMENT [28] held before Judge Dean D. Pregerson: Court hears oral argument and takes the matter under submission. Court Reporter: Maria Bustillos. (klg,) (Entered: 01/26/2007)
01/26/2007	42	ORDER by Judge Dean D. Pregerson, regarding MOTION for Summary Judgment [28]: The Court is inclined to grant defendants motion for partial summary judgment to the extent that the following restrictions are made: 1) the class represented by the EEOC is limited to those individuals the EEOC can show 1)had a real and present interest in being a server and 2) either were denied that job or refrained from applying due to futility during the 300 day statutory

filing period, 2) From the class the EEOC may collect back pay for the two years
3) from the class he EEOC may collect comepensaatoty and punitive damages to
the extent they are consistent with aolibale law(klg,) (Entered: 01/29/2007)

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