

(JCx), CLOSED, DISCOVERY, MANADR

U.S. District Court
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)
CIVIL DOCKET FOR CASE #: 2:06-cv-00215-DSF-JC

United States Equal Employment Opportunity Commission v.
Shelton Ho et al
Assigned to: Judge Dale S. Fischer
Referred to: Magistrate Judge Jacqueline Chooljian
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 01/12/2006
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**United States 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
213-894-1000
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sue J Noh
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Victor Garcia Viramontes
United States Equal Employment
Opportunity Commission
255 East Temple Street, Fourth Floor
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213-894-1091
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ATTORNEY TO BE NOTICED

V.

Defendant

Shelton Ho

*Sole Proprietors
doing business as
Quizno's Subs
doing business as
Quizno's Classic Subs*

represented by **Diane Lynn Fella**
Hillel Chodos Law Offices
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ATTORNEY TO BE NOTICED*

Defendant**Eva Yu-Hwa Ho**

*Sole Proprietors
doing business as
Quizno's Subs
doing business as
Quizno's Classic Subs*

represented by **Diane Lynn Fella**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Hillel Chodos

(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant**Does**

1-10 inclusive

Date Filed	#	Docket Text
01/12/2006	1	COMPLAINT against defendants Does 1-10, Shelton Ho, Eva Yu-Hwa Ho.(No Filing fee Required) Jury Demanded. , filed by plaintiff United States Equal Employment Opportunity Commission.(pj,) (Entered: 01/19/2006)
01/12/2006		20 day Summons Issued re Complaint - (Discovery)[1] as to Does, Shelton Ho, Eva Yu-Hwa Ho. (pj,) (Entered: 01/19/2006)
01/12/2006	2	CERTIFICATION of Interested Parties filed by Plaintiff United States Equal Employment Opportunity Commission. (pj,) (Entered: 01/19/2006)
01/12/2006	3	NOTICE TO PARTIES OF ADR PILOT PROGRAM filed.(pj,) (Entered: 01/19/2006)
01/12/2006		FAX number for Attorney Anna Y Park, Victor Garcia Viramontes is 213-894-1301. (pj,) (Entered: 01/19/2006)

01/13/2006	4	STANDING ORDER by Judge Dale S. Fischer; Read this order carefully. It controls this case and differs in some respects from the LR. (see document for details)(jag,) (Entered: 01/20/2006)
03/20/2006	5	WAIVER OF SERVICE Returned Executed filed by plaintiff United States Equal Employment Opportunity Commission. upon Eva Yu-Hwa Ho waiver sent by Plaintiff on 2/14/2006, answer due 4/15/2006. Waiver of Service signed by Diane Lynn Fella, attorney. (jag,) (Entered: 03/21/2006)
03/20/2006	6	WAIVER OF SERVICE Returned Executed filed by plaintiff United States Equal Employment Opportunity Commission. upon Shelton Ho waiver sent by Plaintiff on 2/14/2006, answer due 4/15/2006. Waiver of Service signed by Diane Lynn Fella, attorney. (jag,) (Entered: 03/21/2006)
04/13/2006	7	ANSWER to Complaint - (Discovery) [1] with JURY DEMAND filed by defendant Eva Yu-Hwa Ho.(jag,) (Entered: 04/14/2006)
04/13/2006	8	ANSWER to Complaint - (Discovery) [1] with JURY DEMAND filed by defendant Shelton Ho.(jag,) (Entered: 04/14/2006)
04/13/2006	9	NOTICE of Interested Parties filed by Defendants Shelton Ho, Eva Yu-Hwa Ho. (jag,) (Entered: 04/14/2006)
04/14/2006	10	ORDER by Judge Dale S. Fischer; This matter is set for Scheduling Conference on 6/5/2006 11:00 AM. (see document for details)(jag,) (Entered: 04/18/2006)
05/12/2006	11	ADR PILOT PROGRAM QUESTIONNAIRE on behalf of Defendants Shelton Ho, Eva Yu-Hwa Ho.(yl,) (Entered: 05/15/2006)
05/12/2006	12	JOINT REPORT Rule 26(f) Discovery Plan filed; estimated length of trial 3-6 court days. (yl,) (Entered: 05/16/2006)
05/17/2006	13	MINUTES OF IN CHAMBERS ORDER held before Judge Dale S. Fischer : The Court, having received the parties' Joint Rule 26(f) Report orders the matter removed from the Court's 6/5/06 calendar. The Court orders the case management dates established generally as proposed. (See order re Jury Trial for specific dates and times)Court Reporter: Not Present. (shb,) (Entered: 05/18/2006)
05/18/2006	14	ORDER by Judge Dale S. Fischer, case ordered to Attorney Settlement Officer Panel for a Local Rule 16-14 settlement conference. Within 10 days, plaintiff shall notify the ADR Program Coordinator of name of Attorney Settlement Officer who will conduct the settlement conference.(shb,) (Entered: 05/18/2006)
05/18/2006	15	ORDER RE JURY TRIAL (See document for further details) by Judge Dale S. Fischer,(yl,) (Entered: 05/19/2006)
05/18/2006		Set Deadlines/Hearings: Discovery cut-off 3/30/2007. Motions due by 2/5/2007. Last date to conduct settlement conference is 2/20/2007. Jury Trial set for 5/1/2007 08:00 AM before Judge Dale S. Fischer. Pretrial Conference set for 4/20/2007 03:00 PM before Judge Dale S. Fischer. (yl,) (Entered: 05/19/2006)
05/30/2006	16	NOTICE OF MOTION AND MOTION for Summary Judgment or MOTION for Partial Summary Judgment of issues; Alternatively for an order that the following causes of action and claims of damaged be substantial controversy (see document

		for further details); Memorandum of Points and Authorities filed by Defendants Shelton Ho, Eva Yu-Hwa Ho. Motion set for hearing on 6/26/2006 at 01:30 PM before Judge Dale S. Fischer. Lodged Proposed Statement and Order. (klg,) Modified on 6/5/2006 (klg,). (Entered: 05/31/2006)
05/30/2006	17	DECLARATION of Shelton Ho, Eva Ho and Diane Fella in support of MOTION for Summary Judgment or MOTION for Partial Summary Judgment [16] filed by Defendants Shelton Ho, Eva Yu-Hwa Ho. (klg,) (Entered: 05/31/2006)
06/07/2006	18	EX PARTE APPLICATION for Order shortening time on plaintiff EEOC's (Proposed) Motion that defendants' Motion for summary judgment should be denied as premature or for a continuance to all ow time for discovery under Fed.R.Civ.P. 56(f); Memorandum of points and authorities; Declaration of Sue J Noh and Exhibits filed by plaintiff United States Equal Employment Opportunity Commission. Lodged proposed order, motion and proposed order on motion. (shb,) (Entered: 06/08/2006)
06/08/2006	19	MINUTES OF IN CHAMBERS ORDER held before Judge Dale S. Fischer :, GRANTING AND DENYING EX PARTE APPLICATION for Order for shortening time on plaintiff EEOC's (Proposed) Motion that defendants' Motion for summary judgment should be denied as premature or for a continuance to all ow time for discovery under Fed.R.Civ.P. 56(f)[18]. Plaintiff's Exparte application is DENIED and GRANTING CONTINUANCE OF HEARING ON MOTION FOR SUMMARY JUDGMENT. Court Reporter: not present. (shb,) Modified on 6/8/2006 (shb,). (Entered: 06/08/2006)
06/08/2006	21	DEFENDANT'S OPPOSITION to Plaintiff's Ex Parte Application to Continue Motion for Summary Judgment[18] filed by Defendants Shelton Ho and Eva Yu-Hwa Ho. (yl,) (Entered: 06/14/2006)
06/12/2006	20	STIPULATION REGARDING SELECTION of Attorney Settlement Officer Filed; Parties stipulate that John Weiss may serve as Attorney Settlement Officer for a Local Rule 16-14 Settlement Conference.(yl,) (Entered: 06/13/2006)
07/19/2006	22	ATTORNEY SETTLEMENT OFFICER PROCEEDING REPORT filed; Settlement Proceedings held on 7/14/2006;(yl,) (Entered: 07/25/2006)
07/27/2006	23	DEFENDANTS' EX PARTE APPLICATION for Order for resetting Defendant's motion for summary judgment and for sanctions under Rule 56(g) against the EEOC and its attorneys of record filed by Defendants Shelton Ho, Eva Yu-Hwa Ho. Lodged proposed order. (shb,) (Entered: 07/31/2006)
07/28/2006	26	OPPOSITION to EX PARTE APPLICATION for Order resetting Defendant's motion for summary judgment and for sanctions under Rule 56(g) against the EEOC and its attorneys of record[23]; Declaration of Sue J Noh; and Exhibits filed by plaintiff United States Equal Employment Opportunity Commission. (pcl,) (Entered: 08/10/2006)
07/31/2006	24	MINUTES OF IN CHAMBERS ORDER held before Judge Dale S. Fischer: DENYING Defendant's EX PARTE APPLICATION for Order for resetting Defendant's motion for summary judgment and for sanctions under Rule 56(g) against the EEOC and its attorneys of record[23]. Plaintiff is not to delay taking the depositions described in the COURT's Order pending a mediation that complies with the order. Court Reporter: Not Present. (shb,) (Entered: 07/31/2006)

08/07/2006	28	EX PARTE APPLICATION for Reconsideration of Order Directing Further Mediation; Declarations filed by defendants Shelton Ho, Eva Yu-Hwa Ho. (pcl,) (Entered: 08/21/2006)
08/08/2006	25	MINUTES (IN CHAMBERS) ORDER Setting Status Conference by Judge Dale S. Fischer: Status Conference set for 8/14/2006 01:30 PM before Judge Dale S. Fischer.Court Reporter: Not Present. (pcl,) (Entered: 08/08/2006)
08/08/2006	29	OPPOSITION to EX PARTE APPLICATION for Reconsideration of Order Directing Further Mediation; Declaration of Sue J Noh filed by plaintiff United States Equal Employment Opportunity Commission. (pcl,) (Entered: 08/21/2006)
08/14/2006	30	MINUTES OF Status Conference held before Judge Dale S. Fischer: The Court addresses the ex parte applications by counsel and orders parties to schedule further mediation before a different mediator, or the magistrate judge. Court Reporter: Pamela Seijas. (pcl,) (Entered: 08/22/2006)
08/17/2006	27	RECEIPT OF REPORTERS TRANSCRIPT of proceedings for the following date: 8/14/2006 Court Reporter: Pamela A Seijas. (kks) (Entered: 08/17/2006)
08/23/2006	31	ORDER RE SETTLEMENT CONFERENCE by Judge Jacqueline Chooljian. This case has been referred to Magistrate Judge Jacqueline for settlement proceedings. the Settlement Conference is placed on calendar for 9/7/2006 at 10:00 AM, at Courtroom 20... No later than 8/31/06, each party shall submit a Settlement Conference Statement directly to chambers (Room 339) or via facsimile to 213-894-2909. Each party shall also prepare a Confidential Addendum to Settlement Conference Statement, which shall be delivered (or sent via facsimile) directly to Magistrate Judge Chooljian only, along with the Statement. See document for further details.(nhac,) (Entered: 08/23/2006)
09/05/2006	32	MINUTES (IN CHAMBERS): ORDER by Judge Jacqueline Chooljian directing counsel to forthwith contact clerk regarding availability for telephonic conference hearing on 9/6/2006 at 2:00 PM. If counsel are not available at that time, they are to advise the Clerk of alternative times on that date, preferably in the afternoon, at which they are available. The parties should be prepared to address the following issues during the telephonic hearing: See document for further details. Tape #: None. (nhac,) (Entered: 09/05/2006)
09/05/2006	33	PROOF OF SERVICE OF SUBPOENA IN A CIVIL CASE issued to Brittany Mooney was served upon Anna Park, Esq, and Sue Noh, Esq, US Equal Employment Opportunity Commission on 8/18/2006 by Hand Delivery, returned. (pcl,) (Entered: 09/06/2006)
09/05/2006	34	NOTICE OF MOTION AND MOTION to Reschedule Motion for Summary Judgment; Points and Authorities; Declaration filed by defendants Shelton Ho, Eva Yu-Hwa Ho. Motion set for hearing on 9/25/2006 at 01:30 PM before Judge Dale S. Fischer. Lodged Proposed Order. (jp) (Entered: 09/13/2006)
09/08/2006	35	OPPOSITION to Defendants' Motion to Reschedule Motion for Summary Judgment [34] filed by Plaintiff U. S. Equal Employment Opportunity Commission. (gk,) (Entered: 09/14/2006)

09/08/2006	36	DECLARATION of Dana C. Johnson in Support of Opposition to Defendants' Motion to Reschedule Motion for Summary Judgment [34] filed by Plaintiff U. S. Equal Employment Opportunity Commission; exhibits. (gk,) (Entered: 09/14/2006)
09/08/2006	37	DECLARATION of Thomas Profit in Support of Opposition to Defendants' Motion to Reschedule Motion for Summary Judgment [34] filed by Plaintiff U. S. Equal Employment Opportunity Commission; exhibits. (gk,) (Entered: 09/14/2006)
09/08/2006	38	SIGNED NOTICE PAGE for Defendants' Notice of Motion and Motion to Reschedule Motion for Summary Judgment [34] filed by Defendants Shelton Ho and Eva Ho; points and authorities; declaration. (gk,) (Entered: 09/14/2006)
09/15/2006	40	REPLY in support of MOTION to Reschedule Motion for Summary Judgment [34] filed by defendants Shelton Ho, Eva Yu-Hwa Ho. (jp) (Entered: 09/22/2006)
09/21/2006	39	MINUTES: Settlement Conference held before Judge Jacqueline Chooljian on 9/7/06 and 9/18/06. On 9/21/06, the parties advised the court that they had reached a settlement, the essential terms of which were placed on the record. The parties advised the court that they have lodged a stipulation and proposed order with the assigned United States District Judge to continue the hearing currently scheduled for Monday, 9/25/06, pending the parties' execution of the requisite settlement documents. Absent further order of this court or the United States District Judge, the parties shall submit a settlement agreement and proposed order for dismissal on or before 9/25/06. Tape #: None. (nhac,) (Entered: 09/22/2006)
09/21/2006	43	STIPULATION to Continue Defendants' Motion to Re-Schedule Motion for Summary Judgment [34] from 9/25/2006 to 10/2/2006. Lodged Proposed Order. (gk,) (Entered: 09/26/2006)
09/22/2006	41	ORDER by Judge Dale S. Fischer on Stipulation, Resetting Hearing as to Defendants' Motion to Reschedule Motion for Summary Judgment [34] Motion hearing continued to 10/2/2006 at 01:30 PM before Judge Dale S. Fischer.(gk,) (Entered: 09/25/2006)
09/22/2006	44	SETTLEMENT AGREEMENT Plaintiff United States Equal Employment Opportunity Commission, Defendants Shelton Ho, Eva Yu-Hwa Ho. (gk,) (Entered: 09/27/2006)
09/26/2006	42	ORDER DISMISSING the Action with Prejudice by Judge Dale S. Fischer: The Court dismisses the action with prejudice. IT IS SO ORDERED. (Made JS-6. Case Terminated.)(pcl,) (Entered: 09/26/2006)

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