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**U.S. District Court
California Northern District (San Jose)
CIVIL DOCKET FOR CASE #: 5:06-cv-06142-JF**

Equal Employment Opportunity Commission v. Sizzler USA
Restaurants, Inc.
Assigned to: Hon. Jeremy Fogel
Referred to: Magistrate Judge Patricia V. Trumbull
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 09/29/2006
Date Terminated: 08/28/2008
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **William Robert Tamayo**
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V.

Intervenor Pla

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V.

Defendant

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Intervenor

Patricia Huizache

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Date Filed	#	Docket Text
09/29/2006	<u>1</u>	COMPLAINT – Civil Rights Employment Discrimination against Sizzler USA Restaurants, Inc.. Filed by Equal Employment Opportunity Commission. (gm, COURT STAFF) (Filed on 9/29/2006) Additional attachment(s) added on 10/18/2006 (gm, COURT STAFF). (Entered: 10/02/2006)
09/29/2006		Summons Issued as to Sizzler USA Restaurants, Inc.. on 9/29/2006 (gm, COURT STAFF) (Filed on 9/29/2006) (Entered: 10/02/2006)
09/29/2006	<u>2</u>	ADR SCHEDULING ORDER: Case Management Statement due by 1/5/2007. Case Management Conference set for 1/12/2007 10:30 AM. (Attachments: # <u>1</u> Standing Order)(gm, COURT STAFF) (Filed on 9/29/2006) (Entered: 10/02/2006)
09/29/2006		CASE DESIGNATED for Electronic Filing. (gm, COURT STAFF) (Filed on 9/29/2006) (Entered: 10/02/2006)
12/08/2006	<u>3</u>	MOTION to Intervene filed by Patricia Huizache. Motion Hearing set for 1/12/2007 09:00 AM. (Attachments: # <u>1</u> Proposed Order)(Shaw, Eric) (Filed on 12/8/2006) (Entered: 12/08/2006)
12/20/2006	<u>4</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission (Ordonio-Dixon, Linda) (Filed on 12/20/2006) (Entered: 12/20/2006)
12/20/2006	<u>5</u>	Statement of Non-Opposition re <u>3</u> MOTION to Intervene filed by Equal Employment Opportunity Commission. (Related document(s) <u>3</u>) (Ordonio-Dixon, Linda) (Filed on 12/20/2006) (Entered: 12/20/2006)
12/21/2006	<u>6</u>	STIPULATION and Proposed Order selecting Mediation by Equal Employment Opportunity Commission on behalf of EEOC and Defendant Sizzler (Ordonio-Dixon, Linda) (Filed on 12/21/2006) (Entered: 12/21/2006)
12/21/2006	<u>7</u>	ADR Certification (ADR L.R. 3-5b) of discussion of ADR options (Ordonio-Dixon, Linda) (Filed on 12/21/2006) (Entered: 12/21/2006)
12/22/2006	<u>8</u>	ORDER REFERRING CASE to Mediation.. Signed by Judge Jeremy Fogel on 12/22/06. (jfsec, COURT STAFF) (Filed on 12/22/2006) (Entered: 12/22/2006)

01/05/2007	<u>9</u>	CASE MANAGEMENT STATEMENT filed by Equal Employment Opportunity Commission. (Ordonio-Dixon, Linda) (Filed on 1/5/2007) (Entered: 01/05/2007)
01/05/2007	10	ANSWER to Complaint with Jury Demand by Sizzler USA Restaurants, Inc.. (gm, COURT STAFF) (Filed on 1/5/2007) (Entered: 01/09/2007)
01/05/2007	11	Certificate of Interested Entities or Persons of Defendant Sizzler USA Restaurants, Inc. (gm, COURT STAFF) (Filed on 1/5/2007) (Entered: 01/09/2007)
01/09/2007	<u>12</u>	CLERK'S NOTICE re: Failure to E-File Answer to Complaint and Certificate of Interested Entities or Persons and/or Failure to Register as an E-Filer (gm, COURT STAFF) (Filed on 1/9/2007) (Entered: 01/09/2007)
01/09/2007	<u>13</u>	ADR Clerk's Notice Appointing Kristen W. Maloney as Mediator. (cmf, COURT STAFF) (Filed on 1/9/2007) (Entered: 01/09/2007)
01/12/2007	<u>14</u>	ORDER by Judge Jeremy Fogel granting <u>3</u> Motion to Intervene (jflc1, COURT STAFF) (Filed on 1/12/2007) (Entered: 01/12/2007)
01/12/2007	<u>15</u>	Minute Entry: Motion to Intervene hearing held on 1/12/2007 before Judge Jeremy Fogel. The motion is taken under submission. (See Order-Docket Number 14) (Date Filed: 1/12/2007). Case Management Conference held on 1/12/2007 before Judge Jeremy Fogel. Court adopts the proposed case schedule. (Date Filed: 1/12/2007). Jury Trial set for 7/11/2008 01:30 PM. Pretrial Conference set for 6/6/2008 11:00 AM. (Court Reporter Irene Rodriguez.) (dlm, COURT STAFF) (Date Filed: 1/12/2007) (Entered: 01/16/2007)
01/16/2007		Pre MED phone conference scheduled on 1/24/2007 at 9:00 a.m. (cmf, COURT STAFF) (Filed on 1/16/2007) (Entered: 01/16/2007)
01/26/2007		Set/Reset Hearings: Mediation Hearing set for 3/15/2007 at 09:30 AM at the EEOC's office in San Francisco. (cmf, COURT STAFF) (Filed on 1/26/2007) (Entered: 01/26/2007)
03/09/2007	<u>16</u>	MOTION to Compel <i>Discovery Responses</i> filed by Equal Employment Opportunity Commission. Motion Hearing set for 4/17/2007 10:00 AM in Courtroom #5, 4th Floor, San Jose. (Attachments: # <u>1</u> Affidavit of Dixon # <u>2</u> Proposed Order # <u>3</u> Exhibit A to G)(Ordonio-Dixon, Linda) (Filed on 3/9/2007) (Entered: 03/09/2007)
03/23/2007	<u>17</u>	CERTIFICATION OF MEDIATION Session dated 3/21/2007 by Mediator, Kristen Maloney; Mediation session held 3/15/2007; Case did not settle; No follow-up contemplated; Mediation process is complete. (cmf, COURT STAFF) (Filed on 3/23/2007) (Entered: 03/23/2007)
04/10/2007	<u>18</u>	ORDER by Judge Patricia V. Trumbull granting <u>16</u> Motion to Compel and Vacating Hearing Date (pvtlc2, COURT STAFF) (Filed on 4/10/2007) (Entered: 04/10/2007)
05/22/2007	<u>19</u>	MOTION to Compel " <i>Notice of Motion and Motion for Order of Civil Contempt</i> " filed by Equal Employment Opportunity Commission. Motion Hearing set for 6/26/2007 10:00 AM in Courtroom #5, 4th Floor, San Jose. (Attachments: # <u>1</u> Affidavit "Dixon Declaration in Support of Motion for Order of Civil Contempt" # <u>2</u> Proposed Order)(Ordonio-Dixon, Linda) (Filed on 5/22/2007) (Entered: 05/22/2007)
06/11/2007	<u>20</u>	Reply Memorandum re <u>19</u> MOTION to Compel " <i>Notice of Motion and Motion for Order of Civil Contempt</i> " filed by Equal Employment Opportunity Commission. (Ordonio-Dixon, Linda) (Filed on 6/11/2007) (Entered: 06/11/2007)
06/26/2007	<u>21</u>	Minute Entry: Motion Hearing held on 6/26/2007; Matter Submitted before Patricia V. Trumbull (Date Filed: 6/26/2007) re <u>19</u> MOTION to Compel " <i>Notice of Motion and Motion for Order of Civil Contempt</i> " filed by Equal Employment Opportunity Commission. (Court Reporter Jana Ridenour.) (cm, COURT STAFF) (Date Filed: 6/26/2007) (Entered: 06/26/2007)
07/05/2007	<u>22</u>	ORDER re: Plaintiff's Motion for Contempt. Signed by Judge Patricia V. Trumbull on July 5, 2007. (pvtlc2, COURT STAFF) (Filed on 7/5/2007) (Entered: 07/05/2007)
08/10/2007	<u>23</u>	MOTION for Extension of Time to Complete Discovery (<i>Joint</i>) filed by Equal Employment Opportunity Commission. (Ordonio-Dixon, Linda) (Filed on 8/10/2007) (Entered: 08/10/2007)

08/28/2007	<u>24</u>	ORDER by Judge Jeremy Fogel granting <u>23</u> Motion to Extend Case Deadlines. (dlm, COURT STAFF) (Filed on 8/28/2007) (Entered: 08/28/2007)
08/28/2007		Set/Reset Hearings: Jury Trial set for 10/27/2008 09:00 AM. Pretrial Conference set for 9/26/2008 11:00 AM. (dlm, COURT STAFF) (Filed on 8/28/2007) (Entered: 08/28/2007)
09/04/2007	<u>25</u>	Declaration of Glen H. Mertens <i>Regarding Defendant Sizzler USA Restaurants, Inc.'s Efforts to Provide Responsive Documents and Comply With Discovery Order</i> filed by Sizzler USA Restaurants, Inc.. (Mertens, Glen) (Filed on 9/4/2007) (Entered: 09/04/2007)
11/07/2007	<u>26</u>	ORDER by Judge Patricia V. Trumbull Denying As Moot and Without Prejudice <u>19</u> Motion for Contempt (pvtlc2, COURT STAFF) (Filed on 11/7/2007) (Entered: 11/07/2007)
04/14/2008	<u>27</u>	MOTION to Compel filed by Equal Employment Opportunity Commission. Motion Hearing set for 5/20/2008 10:00 AM in Courtroom #5, 4th Floor, San Jose. (Attachments: # <u>1</u> Affidavit of Ordonio-Dixon, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Proposed Order)(Ordonio-Dixon, Linda) (Filed on 4/14/2008) (Entered: 04/14/2008)
04/15/2008	<u>28</u>	CLERK'S NOTICE Continuing Motion Hearing Motion Hearing set for 6/3/2008 10:00 AM. (cm, COURT STAFF) (Filed on 4/15/2008) (Entered: 04/15/2008)
05/06/2008	<u>29</u>	MOTION for Entry of Default <i>against Sizzler USA Restaurants Inc.</i> , filed by Patricia Huizache. (Shaw, Eric) (Filed on 5/6/2008) (Entered: 05/06/2008)
05/07/2008	<u>30</u>	Reply Memorandum re <u>27</u> MOTION to Compel filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Affidavit of Dixon)(Ordonio-Dixon, Linda) (Filed on 5/7/2008) (Entered: 05/07/2008)
05/13/2008	<u>31</u>	Clerk's DECLINATION OF DEFAULT (Related documents(s) <u>29</u>) (srm, COURT STAFF) (Filed on 5/13/2008) (Entered: 05/13/2008)
05/14/2008	<u>32</u>	MOTION for Entry of Default filed by Patricia Huizache. (Shaw, Eric) (Filed on 5/14/2008) (Entered: 05/14/2008)
05/16/2008	<u>33</u>	Clerk's Notice ENTRY OF DEFAULT (Related documents(s) <u>32</u>) (srm, COURT STAFF) (Filed on 5/16/2008) (Entered: 05/19/2008)
05/20/2008	<u>34</u>	ORDER GRANTING PLAINTIFF EEOC'S MOTION TO COMPEL by Judge Patricia V. Trumbull granting <u>27</u> Motion to Compel (pvtlc2, COURT STAFF) (Filed on 5/20/2008) (Entered: 05/20/2008)
06/23/2008	<u>35</u>	MOTION for Discovery <i>Order for Civil Contempt</i> (filed by Equal Employment Opportunity Commission. Motion Hearing set for 7/29/2008 10:00 AM in Courtroom #5, 4th Floor, San Jose. (Attachments: # <u>1</u> Affidavit of Dixon)(Ordonio-Dixon, Linda) (Filed on 6/23/2008) (Entered: 06/23/2008)
07/15/2008	<u>36</u>	MOTION to Continue <i>Hearing on Renewed Motion For Contempt (Jt Stipulation)</i> filed by Equal Employment Opportunity Commission. Motion Hearing set for 8/26/2008 10:00 AM in Courtroom #4, 5th Floor, San Jose. (Ordonio-Dixon, Linda) (Filed on 7/15/2008) (Entered: 07/15/2008)
08/22/2008	<u>37</u>	Proposed Order – <i>CONSENT DECREE</i> by Equal Employment Opportunity Commission. (Ordonio-Dixon, Linda) (Filed on 8/22/2008) (Entered: 08/22/2008)
08/26/2008	<u>38</u>	Notice of Withdrawal of Motion <i>for Order of Civil Contempt</i> filed by Equal Employment Opportunity Commission. (Ordonio-Dixon, Linda) (Filed on 8/26/2008) (Entered: 08/26/2008)
08/28/2008	<u>39</u>	CONSENT DECREE re <u>37</u> Proposed Order filed by Equal Employment Opportunity Commission. Signed by Judge Jeremy Fogel on 8/28/08. (jfsec, COURT STAFF) (Filed on 8/28/2008) (Entered: 08/28/2008)
11/25/2009		FILE located at Federal Records Center (FRC), San Bruno, CA: Accession No: 021-2009-5152, Box No: 103. (mpb, COURT STAFF) (Filed on 11/25/2009) (Entered: 11/25/2009)