

STLMT, TERMED

**U.S. District Court
District of Colorado (Denver)
CIVIL DOCKET FOR CASE #: 1:02-cv-00581-RPM-BNB**

EEOC v. Echostar Comm Corp
Assigned to: Judge Richard P. Matsch
Referred to: Magistrate Judge Boyd N. Boland
Demand: \$0
Cause: 42:12101 Americans With Disabilities Act (ADA)

Date Filed: 03/21/2002
Date Terminated: 09/08/2005
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Anjuli Kelotra**
U.S. Equal Employment Opportunity
Commission-Colorado
303 East 17th Avenue
#510
Denver, CO 80203
303-866-1378
Fax: 303-866-1375
Email: anjuli.kelotra@qwest.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lynn L. Palma
U.S. Equal Employment Opportunity
Commission-Colorado
303 East 17th Avenue
#510
Denver, CO 80203
303-866-1374
Fax: 303-866-1375
Email: lynn.palma@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mia Ellen Bitterman
Equal Employment Opportunity
Commission-Colorado
303 East 17th Avenue
#510
Denver, CO 80203
303-866-1300
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nancy A. Weeks
U.S. Equal Employment Opportunity

Commission-Colorado
303 East 17th Avenue
#510
Denver, CO 80203
303-866-1947
Fax: 303-866-1375
Email: nancy.weeks@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rita Byrnes Kittle
U.S. Equal Employment Opportunity
Commission-Colorado
303 East 17th Avenue
#510
Denver, CO 80203
303-866-1347
Fax: 303-866-1375
Email: rita.kittle@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Plaintiff

Dale Alton

represented by **Dale A. Gaar**
Dale A. Gaar, P.C.
1600 Stout Street
#1000
Denver, CO 80202
303-446-9300
Fax: 303-446-9400
Email: gaar@qwest.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rita Byrnes Kittle
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Echostar Communications Corporation

also known as

Dish, Ltd.

represented by **Dan S. Cross**
Overton Law Firm
1080 Kalamath Street
Denver, CO 80204
303-302-2737
Fax: 303-832-5303
Email: dan.cross@overtonlawfirm.com

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard J. Gleason
Overton Law Firm
1080 Kalamath Street
Denver, CO 80204
303-302-2734
Fax: 303-832-5303
Email: rick.gleason@overtonlawfirm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor Defendant

Echostar Communications Corporation
also known as
Dish, Ltd.

represented by **Dan S. Cross**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/21/2002	1	COMPLAINT (Summons(es) issued); jury demand (pap) (Entered: 03/21/2002)
03/22/2002	2	ORDER R16,stat,slmt,pt,pto referred to Magistrate Judge Boyd N. Boland by Judge Richard P. Matsch (cc: to counsel) (lam) (Entered: 03/26/2002)
04/02/2002	3	NOTICE of related case 01-D-457 by plaintiff EEOC and req to consolidate the 2 actions (lam) Modified on 04/04/2002 (Entered: 04/03/2002)
04/02/2002	4	AMENDED COMPLAINT [1-1] by plaintiff EEOC; jury demand; defendant Echostar Comm Corp n/k/a Dish, Ltd. (lam) Modified on 05/21/2002 (Entered: 04/03/2002)
04/29/2002	5	Application (MOTION) by proposed intervenor Dale Alton to intervene as a plaintiff (lam) (Entered: 04/29/2002)
04/29/2002		Tendered Complaint of Intervention submitted by Dale Alton re: motion to intervene as a plaintiff [5-1] (lam) (Entered: 04/29/2002)
04/30/2002	6	MEMORANDUM by Chambers referring to Magistrate Judge Boyd N. Boland the application to intervene as a plaintiff [5-1] (lam) (Entered: 04/30/2002)
05/03/2002	7	Proof OF SERVICE of Summons and Amended Complaint upon defendant Echostar Comm Corp on 4/9/02 by handing to Doug Mihover by refusal, Mr. Milhover works in legal and would not come down to accept service, said had to make an appt & come back (lam) (Entered: 05/06/2002)
05/06/2002	8	MINUTE ORDER : by Magistrate Judge Boyd N. Boland regarding [5-1] application to intervene as a plaintiff by Dale Alton, response ddl 5/28/02 (cc: all counsel) ; entry date : 5/7/02 (lam) (Entered: 05/07/2002)

05/20/2002	9	ANSWER by defendant Echostar Comm Corp to complaint [4-1] (lam) (Entered: 05/21/2002)
06/04/2002	10	ORDER by Magistrate Judge Boyd N. Boland application of Dale Alton to intervene as a plaintiff [5-1] (cc: all counsel) ; date : 6/5/02 (lam) (Entered: 06/05/2002)
06/04/2002	11	ORDER FOR RULE 16 CONFERENCE by Magistrate Judge Boyd N. Boland ; Rule 16 conference set for 9:00 7/22/02 (cc: all counsel) (lam) (Entered: 06/05/2002)
06/04/2002	12	INTERVENOR'S COMPLAINT by intervenor-plaintiff Dale Alton; jury demand (lam) (Entered: 06/05/2002)
06/05/2002	13	MOTION by plaintiff EEOC to consolidate case w/01-D-457 (lam) (Entered: 06/05/2002)
06/10/2002	14	RESPONSE by defendant Echostar Comm Corp to plaintiff's motion to consolidate [13-1] (with authorities) (lam) (Entered: 06/11/2002)
06/11/2002	15	ORDER by Judge Richard P. Matsch denying pla's motion to consolidate case w/01-D-457 [13-1] (cc: all counsel) ; entry date : 6/11/02 (lam) (Entered: 06/11/2002)
06/17/2002	16	MOTION by defendant Echostar Comm Corp to extend time to comply with order dated 6/4/02 setting scheduling conf (lam) (Entered: 06/18/2002)
06/17/2002	17	ANSWER by intervenor-defendant Echostar Comm Corp to intervenor complaint [12-1] (lam) (Entered: 06/18/2002)
06/18/2002	18	MEMORANDUM by Chambers referring to Magistrate Judge Boyd N. Boland the motion to extend time to comply with order dated 6/4/02 setting scheduling conf [16-1] (lam) (Entered: 06/19/2002)
06/21/2002	19	MINUTE ORDER : by Magistrate Judge Boyd N. Boland granting motion to extend time to comply with order dated 6/4/02 setting scheduling conf [16-1] It is OYRDERED that the DDL for Rule 26(f) Conf is extended until 7/11/02 and the DDL for submitting Disclosures pursuant to Rule 26(a) is extended to 7/15/02 (cc: all counsel) ; entry date : 6/24/02 (erv) (Entered: 06/24/2002)
07/22/2002	20	COURTROOM MINUTES by Magistrate Judge Boyd N. Boland ; rule 16 conf held on 7/22/02 ; discovery ddl set 2/28/03 ; disp mtn ddl set 4/1/03 ; settlement conf set for 10:30 1/15/03 ; pretrial conf set for 6/2/03 ; entry date : 7/23/02 Court Reporter: Tape 02-63 (lam) (Entered: 07/23/2002)
07/22/2002	21	SCHEDULING ORDER by Magistrate Judge Boyd N. Boland (cc: all counsel) (lam) (Entered: 07/23/2002)
07/22/2002	22	MINUTE ORDER : by Magistrate Judge Boyd N. Boland ; settlement conf set for 10:30 1/14/03 (1/15/03) ; pretrial conf set for 8:30 6/2/03 (cc: all counsel) ; entry date : 7/23/02 (lam) (Entered: 07/23/2002)
07/23/2002	23	AMENDED MINUTE ORDER : by Magistrate Judge Boyd N. Boland regarding [22-2] minute order ; settlement conf set for 10:30 1/15/03; ptc set for 6/2/03 at 8:30 (cc: all counsel) ; entry date : 7/24/02 (lam) (Entered: 07/24/2002)

12/02/2002	24	Unoppsoed MOTION by intervenor-plaintiff Dale Alton to extend expert witness deadlines (lam) (Entered: 12/03/2002)
12/04/2002	25	MEMORANDUM by Chambers referring to Magistrate Judge Boyd N. Boland the motion to extend witness deadlines [24-1] (lam) (Entered: 12/06/2002)
12/10/2002	26	MINUTE ORDER : by Magistrate Judge Boyd N. Boland denying without prejudice the Unopposed motion to extend expert witness deadlines [24-1], subject to a renewed motion wich addresses all remaining scheduling order deadlines, incl the dispositive motions deadline (cc: all counsel) ; entry date : 12/12/02 (erv) (Entered: 12/12/2002)
12/20/2002	27	Unopposed MOTION by plaintiff, defendant, intervenor-plaintiff, intervenor-defendant to amend schedule order [21-1] (erv) (Entered: 12/23/2002)
12/23/2002	28	MEMORANDUM by Chambers referring to Magistrate Judge Boyd N. Boland the motion to amend schedule order [21-1] [27-1] (lam) (Entered: 12/26/2002)
12/26/2002	29	MINUTE ORDER : by Magistrate Judge Boyd N. Boland granting unopposed motion to amend scheduling order as set forth in this Minute Order [21-1] [27-1] ; discovery ddl set 5/16/03 ; disp mtn ddl set 6/16/03 ; settlement conf reset for 10:30 5/5/03 pretrial conf reset for 8:30 8/18/03; proposed scheduling order (pto) 8/11/03 (cc: all counsel) ; entry date : 12/27/02 (lam) (Entered: 12/27/2002)
01/29/2003	30	NOTICE of Change of firm name of Pearson & Horowitz, P.C. to Pearson, Horowitz & Poskus, P.C. by defendant Echostar Comm Corp (lam) (Entered: 01/29/2003)
03/25/2003	31	MOTION by plaintiff EEOC, intervenor-plaintiff Dale Alton to amend scheduling order [21-1] (pap) (Entered: 03/26/2003)
03/26/2003	32	MEMORANDUM by Chambers referring to Magistrate Judge Boyd N. Boland the motion to amend scheduling order [21-1] [31-1] (lam) (Entered: 03/27/2003)
03/28/2003	33	MINUTE ORDER : by Magistrate Judge Boyd N. Boland granting motion to amend scheduling order [21-1] [31-1] ; discovery ddl set 6/30/03 ; disp mtn ddl set 7/15/03 ; pretrial conf reset for 9:00 9/25/03 ; pto ddl set for 9/18/03 (cc: all counsel) ; entry date : 3/31/03 (lam) (Entered: 03/31/2003)
05/01/2003	35	ORDER by Judge Richard P. Matsch ; Calendar Call set for 8:30 9/12/03 (cc: all counsel) ; entry date : 5/7/03 (lam) (Entered: 05/07/2003)
05/05/2003	34	MINUTE ORDER : by Magistrate Judge Boyd N. Boland ; settlement conf set 5/5/03 is vacated (cc: all counsel) ; entry date : 5/6/03 (gms) (Entered: 05/06/2003)
06/02/2003	36	Joint MOTION by plaintiff and defendant to stay discovery to facilitate private mediation (pap) (Entered: 06/03/2003)
06/04/2003	37	MEMORANDUM by Chambers referring to Magistrate Judge Boyd N. Boland the motion to stay discovery to facilitate private mediation [36-1] (lam) (Entered: 06/05/2003)
06/04/2003	38	MINUTE ORDER : by Magistrate Judge Boyd N. Boland granting joint motion to stay discovery to facilitate private mediation [36-1]; expert witness disclosures due on or before 8/15/03; rebuttal experts designation is due on or before 9/15/03

		; discovery ddl reset 9/30/03 ; disp mtn ddl reset 10/31/03 ; pto ddl set for 1/6/04 ; pretrial conf vacated and reset for 2:30 1/13/04 (cc: all counsel) ; entry date : 6/6/03 (pap) (Entered: 06/06/2003)
07/31/2003	39	NOTICE of Change of address of Dan S. Cross, Esq. counsel for Echostar Comm Corp (pap) (Entered: 08/01/2003)
08/13/2003	40	Unopposed MOTION by plaintiff EEOC to stay disc for 2 months (disc cutoff ext to 11/30/03, dispo mtn ddl ext to 12/31/03) (lam) (Entered: 08/14/2003)
08/15/2003	41	MEMORANDUM by Judge Richard P. Matsch referring to Magistrate Judge Boyd N. Boland the motion to stay disc 2 months [40-1] (lam) (Entered: 08/18/2003)
08/20/2003	42	MINUTE ORDER : by Magistrate Judge Boyd N. Boland granting unopposed motion by EEOC to stay disc for 2 months [40-1] as set forth in this Minute Order ; discovery ddl ext to 11/30/03 ; disp mtn ddl ext to 12/31/03 ; pto ddl set for 3/1/04 ; pretrial conf reset for 9:00 3/8/04 (cc: all counsel) ; entry date : 8/21/03 (lam) (Entered: 08/21/2003)
09/03/2003	43	MINUTE ORDER : by Judge Richard P. Matsch ; action is removed from calendar call set 9/12/03 at 8:30 (cc: all counsel) ; entry date : 9/4/03 (lam) (Entered: 09/04/2003)
09/26/2003	44	JT MOTION by plaintiff, defendants to extend time 3 months the ddls established in the scheduling order (discovery cutoff to 3/7/04, dispo mtns ddl to 4/31/04 & change ptc date after 5/1/04) (lam) (Entered: 09/29/2003)
09/29/2003	45	MEMORANDUM by Judge Richard P. Matsch referring to Magistrate Judge Boyd N. Boland the jt motion to extend time by 3 months the ddls established in the scheduling order [44-1] (lam) (Entered: 09/30/2003)
10/02/2003	46	MINUTE ORDER : by Magistrate Judge Boyd N. Boland granting jt motion to extend time 3 months the ddls established in the scheduling order [44-1], [21-1] as set forth in this order ; discovery ddl set 3/7/04 ; disp mtn ddl set 3/31/04 ; pto ddl set for 6/1/04 ; pretrial conf reset for 8:30 6/7/04 (cc: all counsel) ; entry date : 10/3/03 (lam) (Entered: 10/03/2003)
02/18/2004	47	MOTION by defendant Echostar Comm Corp to amend scheduling order [21-1] (disc cutoff to 5/16/04 and dispo mtn ddl to 6/16/04) (lam) (Entered: 02/19/2004)
02/19/2004	48	MEMORANDUM by Chambers referring to Magistrate Judge Boyd N. Boland the motion to amend scheduling order [21-1] [47-1] (pap) (Entered: 02/20/2004)
02/20/2004	49	MINUTE ORDER : by Magistrate Judge Boyd N. Boland granting unopposed motion to amend scheduling order [21-1] [47-1] ; discovery ddl reset 5/16/04 ; disp mtn ddl reset 6/16/04 ; pto ddl reset for 8/16/04 ; pretrial conf vacated and reset for 9:00 8/23/04 (cc: all counsel) ; entry date : 2/23/04 (pap) (Entered: 02/23/2004)
04/01/2004	50	Unopposed MOTION by defendant Echostar Comm Corp to amend schedule order [21-1] (dlb) (Entered: 04/02/2004)
04/05/2004	51	MEMORANDUM by Judge Richard P. Matsch referring to Magistrate Judge Boyd N. Boland the motion to amend schedule order [21-1] [50-1] (gms)

		(Entered: 04/06/2004)
04/05/2004	52	MINUTE ORDER : by Magistrate Judge Boyd N. Boland granting unopposed motion to amend schedule order [21-1] [50-1]. Parties to designate all rebuttal experts and provide info specified in Rule 26 by 4/8/04 regarding [21-1] schedule order (cc: all counsel) ; entry date : 4/6/04 (gms) (Entered: 04/06/2004)
05/14/2004	53	Joint MOTION by plaintiff, defendant to extend deadlines for discovery to 7/2/04 and dispo mtns to 8/9/04 (dlb) (Entered: 05/17/2004)
05/17/2004	54	MOTION by plaintiff EEOC for protective order to preclude distribution or publication of trad secrets (dlb) (Entered: 05/18/2004)
05/17/2004	55	MEMORANDUM by Judge Richard P. Matsch referring to Magistrate Judge Boyd N. Boland the motion to extend deadlines for discovery to 7/2/04 and dispo mtns to 8/9/04 [53-1] (dlb) (Entered: 05/18/2004)
05/19/2004	56	MEMORANDUM by Judge Richard P. Matsch referring to Magistrate Judge Boyd N. Boland the motion for protective order to preclude distribution or publication of trad secrets [54-1] (dlb) (Entered: 05/20/2004)
05/25/2004	57	MINUTE ORDER : by Magistrate Judge Boyd N. Boland granting Joint motion to extend deadlines for discovery to 7/2/04 and dispo mtns to 8/9/04 [53-1] ; discovery ddl reset 7/2/04 ; disp mtn ddl reset 8/9/04 ; pretrial conf vacated and reset for 10/6/04 ; pto ddl set for 9:00 10/13/04 (cc: all counsel) ; entry date : 5/26/04 (pap) (Entered: 05/26/2004)
05/25/2004	58	MINUTE ORDER : by Magistrate Judge Boyd N. Boland ; dft shall respond on or before 6/14/04 regarding [54-1] motion for protective order to preclude distribution or publication of trad secrets setting hearing on motion for protective order to preclude distribution or publication of trad secrets [54-1] 9:00 6/18/04 (cc: all counsel) ; entry date : 5/26/04 (pap) (Entered: 05/26/2004)
06/02/2004	59	Unopposed MOTION by plaintiffs to withdraw motion for protective order to preclude distribution or publication of trad secrets [54-1] (gms) (Entered: 06/03/2004)
06/04/2004	60	MEMORANDUM by Chambers referring to Magistrate Judge Boyd N. Boland the motion to withdraw motion for protective order to preclude distribution or publication of trad secrets [54-1] [59-1] (pap) (Entered: 06/07/2004)
06/08/2004	61	MINUTE ORDER : by Magistrate Judge Boyd N. Boland granting plas' unopposed motion to withdraw motion for protective order to preclude distribution or publication of trad secrets [54-1] [59-1], denying as moot plas' motion for protective order to preclude distribution or publication of trad secrets [54-1] (cc: all counsel) ; entry date : 6/10/04 (pap) (Entered: 06/10/2004)
06/29/2004	62	Joint MOTION by plaintiff, defendant to extend ddl for discovery to 9/3/04 and dispo mtns to 10/9/04 (dlb) (Entered: 06/30/2004)
06/29/2004	63	MEMORANDUM by Judge Richard P. Matsch referring to Magistrate Judge Boyd N. Boland the motion to extend ddl for discovery to 9/3/04 and dispo mtns to 10/9/04 [62-1] (dlb) (Entered: 06/30/2004)

07/02/2004	64	MINUTE ORDER : by Magistrate Judge Boyd N. Boland denying jt motion to extend ddl for discovery to 9/3/04 and dispo mtns to 10/9/04 [62-1] because no good cause has been shown (cc: all counsel) ; entry date : 7/6/04 (lam) (Entered: 07/06/2004)
07/08/2004	65	MOTION by plaintiff EEOC for reconsideration minute order and request for forthwith hearing [64-1] (dlb) (Entered: 07/09/2004)
07/09/2004	66	MEMORANDUM by Judge Richard P. Matsch referring to Magistrate Judge Boyd N. Boland the motion for reconsideration minute order and request for forthwith hearing [64-1] [65-1] (dlb) (Entered: 07/12/2004)
07/22/2004	67	OBJECTION by pla and intvpla to Magistrate Judge's Minute Order [64-1] by plaintiff EEOC, intervenor-plaintiff Dale Alton concerning minute order [64-1] (pap) (Entered: 07/23/2004)
07/23/2004	68	NOTICE OF CONSENT OF ELECTRONIC SERVICE by plaintiff EEOC (erv) (Entered: 07/23/2004)
08/04/2004	69	RESPONSE by defendant Echostar Comm Corp to OBJECTION by pla and intvpla to Magistrate Judge's Minute Order [64-1] [67-1] (erv) (Entered: 08/04/2004)
08/05/2004	70	ORDER by Judge Richard P. Matsch reversing denial of jt mtn for ext of ddls for discovery and dispo mtns [64-1] re: minute order ; discovery ddl ext to 9/3/04 ; disp mtn ddl ext to 10/9/04 ; pretrial conf set 10/6/04 is vacated ; that the order of reference of Magistrate Judge Boland is withdrawn [2-1], terminating case referral to Magistrate Judge Boyd N. Boland ; the court will set a new date for a ptc (cc: all counsel) ; entry date : 8/9/04 (lam) (Entered: 08/09/2004)
08/30/2004	71	JT MOTION by plaintiff, defendant for protective order re: confidential information (lam) (Entered: 09/01/2004)
09/03/2004	72	ORDER by Judge Richard P. Matsch granting motion for protective order re: confidential information [71-1] (cc: all counsel) ; entry date : 9/8/04 (dlb) (Entered: 09/08/2004)
09/03/2004	73	Stipulated PROTECTIVE ORDER by Judge Richard P. Matsch : regarding [71-1] motion for protective order re: confidential information (cc: all counsel) (dlb) (Entered: 09/08/2004)
10/05/2004	74	MOTION by plaintiff EEOC for leave to conduct non-party records deposition after the discovery ddl (pap) (Entered: 10/06/2004)
10/12/2004	75	Unopposed MOTION by defendant Echostar Comm Corp to extend ddl for filing dispo mtns to 10/19/04 (lam) (Entered: 10/13/2004)
10/12/2004	76	MOTION by plaintiff EEOC, intervenor-plaintiff Dale Alton for partial summary judgment re: plas' first and second claim for relief (lam) (Entered: 10/13/2004)
10/12/2004	77	BRIEF by plaintiff EEOC, intervenor-plaintiff Dale Alton in support of motion for partial summary judgment re: plas' first and second claim for relief [76-1] (lam) (Entered: 10/13/2004)
10/12/2004	78	EXHIBITS by plaintiff EEOC, intervenor-plaintiff Dale Alton to motion for partial summary judgment re: plas' first and second claim for relief [76-1] (lam)

		(Entered: 10/13/2004)
10/21/2004	79	RESPONSE by defendant Echostar Comm Corp to pla's motion for leave to conduct non-party records deposition after the discovery ddl [74-1] (pap) (Entered: 10/22/2004)
10/21/2004	80	MINUTE ORDER : by Judge Richard P. Matsch setting hearing on motion for leave to conduct non-party records deposition after the discovery ddl [74-1] 10:00 11/8/04 (cc: all counsel) ; entry date : 10/25/04 (pap) (Entered: 10/25/2004)
11/04/2004	81	RESPONSE to Plaintiff's [76] Motion for Partial Summary Judgment filed by Defendant Echostar Communications Corporation. (lam,) (Entered: 11/05/2004)
11/08/2004	82	Minute Entry for proceedings held before Judge Richard P. Matsch : Motion Hearing held on 11/8/2004. Pla's [76] Motion for Partial Summary Judgment filed by Equal Employment Opportunity Commission, Dale Alton is denied. Pla's [74] Motion for Leave to Conduct Non-Party Records Deposition After the Discovery Deadlines filed by Equal Employment Opportunity Commission is denied. 4 day trial set 5/2/05. PTC set 4/8/05 at 10:00 a.m.(Court Reporter FTR.) (gms,) (Entered: 11/10/2004)
11/08/2004		ORDER denying plaintiff's [74] Motion for Leave to conduct non-party records deposition after the discovery deadline per Minutes of 11/8/04 by Judge Richard P. Matsch on 11/8/04. (gms,) (Entered: 11/10/2004)
11/08/2004	83	ORDER denying pla's [76] Motion for Partial Summary Judgment . Signed by Judge Richard P. Matsch on 11/8/04. (gms,) (Entered: 11/10/2004)
11/08/2004	84	ORDER Final Pretrial Conference set for 4/8/2005 10:00 AM in Conference Room before Judge Richard P. Matsch. 4 day Jury Trial set for 5/2/2005 09:00 AM in Courtroom A before Judge Richard P. Matsch to jury of 12. Signed by Judge Richard P. Matsch on 11/8/04. (gms,) (Entered: 11/10/2004)
11/29/2004	85	TRANSCRIPT of Motion to Take Depositions held on 11/8/04 before Judge Matsch. Pages 1-16 Court Reporter: Federal Reporting Service. (Certified copy) (gms,) (Entered: 11/30/2004)
02/15/2005	86	NOTICE of Change of Address by Dale A. Gaar counsel for Intervenor Plaintiff Dale Alton. (lam,) (Entered: 02/17/2005)
02/24/2005	87	Joint MOTION Requesting Settlement Conference by Plaintiff Equal Employment Opportunity Commission. (gms,) (Entered: 02/25/2005)
02/25/2005	88	ORDER REFERRING CASE FOR SETTLEMENT CONFERENCE to Magistrate Judge Boyd N. Boland (dlb,) (Entered: 03/01/2005)
03/01/2005	89	MINUTE ORDER setting Settlement Conference set for 3/9/2005 01:00 PM in Courtroom A 401 before Magistrate Judge Boyd N. Boland by Magistrate Judge Boyd N. Boland on 3/1/05. (dlb,) (Entered: 03/02/2005)
03/03/2005	90	MINUTE ORDER granting [87] Joint Motion for Settlement Conference. Settlement Conference is vacated and reset to 4/6/05 10:00am before Magistrate Judge Boyd N. Boland . Entered by Magistrate Judge Boyd N. Boland on 3/3/05. (pap,) (Entered: 03/04/2005)

03/04/2005	91	MOTION to Exclude Testimony of Defense Exper J. Fred Katzman by Intervenor Plaintiff Dale Alton. (gms,) (Entered: 03/07/2005)
03/18/2005	92	Unopposed MOTION For Extension of Deadline to file response to pla's motion to exclude to 4/8/04 by Defendant Echostar Communications Corporation. (gms,) (Entered: 03/21/2005)
03/23/2005	93	Minute ORDER granting [92] Motion for Extension of Time to file a response. by Senior District Judge Richard P. Matsch on 3/23/05. (erv,) (Entered: 03/25/2005)
03/31/2005	94	MOTION For Enlargement of Time to File Pretrial Order by Defendant Echostar Communications Corporation. (bpm,) (Entered: 04/04/2005)
04/01/2005	95	MINUTE ORDER granting [94] MOTION For Extension of Time to submit a proposed agreed pretrial order up to 4/5/05 filed by Echostar Communications Corporation, by Judge Richard P. Matsch on 4/1/05. (gms,) (Entered: 04/07/2005)
04/06/2005	96	Minute Entry for proceedings held before Judge Boyd N. Boland : Settlement Conference held on 4/6/2005. No settlement was reached. No record made. (pap,) (Entered: 04/07/2005)
04/06/2005	97	MINUTE ORDER Supplemental Settlement Conference set for 4/19/2005 03:30 PM in Courtroom A 401 before Magistrate Judge Boyd N. Boland. Entered by Magistrate Judge Boyd N. Boland on 4/6/05. (pap,) (Entered: 04/07/2005)
04/08/2005	98	Dft's RESPONSE to [91] MOTION to Exclude Testimony of Defense Exper J. Fred Katzman by Intervenor Plaintiff Dale Alton. (dlb,) (Entered: 04/11/2005)
04/08/2005	99	Minute Entry for proceedings held before Judge Richard P. Matsch : Final Pretrial Conference held on 4/8/2005 (Court Reporter FTR Technician.) (dlb,) (Entered: 04/11/2005)
04/08/2005	100	FINAL PRETRIAL ORDER . Signed by Judge Richard P. Matsch on 4/8/05. Trial to a Jury anticipated for Five (5) days.(dlb,) (Entered: 04/12/2005)
04/08/2005	102	Minute Entry for proceedings held before Judge Richard P. Matsch : Final Pretrial Conference held on 4/8/2005. ORDERED: Proposed jury instructions, memo of law in support and proposed voir dire shall be submitted directly to chambers by 4/25/05. ORDERED: Final pretrial order approved. (Court Reporter FTR Technician.) (dlb,) (Entered: 04/22/2005)
04/19/2005	101	MINUTE ORDER vacating Supplemental Settlement Conference set for 4/19/05by Magistrate Judge Boyd N. Boland on 4/19/05. (bpm,) (Entered: 04/21/2005)
04/25/2005	103	Joint MOTION For One-Day Extension of Time to File Jury Instructions by Plaintiff Equal Employment Opportunity Commission, Defendant Echostar Communications Corporation, Intervenor Plaintiff Dale Alton. (lam,) (Entered: 04/26/2005)
04/25/2005	104	Proposed Voir Dire Questions by Plaintiff EEOC. (lam,) (Entered: 04/26/2005)
04/25/2005	105	Proposed Voir Dire Questions by Defendant Echostar Communications Corporation. (lam,) (Entered: 04/26/2005)

04/25/2005	106	TRIAL BRIEF by Defendant Echostar Communications Corporation. (lam,) (Entered: 04/26/2005)
04/25/2005	107	NOTICE of Appearance of Lynn Palma by Rita Byrnes Kittle on behalf of Equal Employment Opportunity Commission. (lam,) (Entered: 04/27/2005)
04/25/2005	108	NOTICE of Withdrawal of Mia Bitterman as counsel for Equal Employment Opportunity Commission by Rita Brynes Kittle. (lam,) (Entered: 04/27/2005)
04/27/2005	109	NOTICE of Entry of Appearance by Lynn L. Palma on behalf of Plaintiff Equal Employment Opportunity Commission. (lam,) (Entered: 04/28/2005)
04/27/2005	110	MOTION for Order to Limit Evidence Based on Stipulations by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Dale Alton. (lam,) (Entered: 04/28/2005)
04/27/2005	111	Joint MOTION to Amend [100] Pretrial Order by Plaintiff Equal Employment Opportunity Commission, Defendant Echostar Communications Corporation, Intervenor Plaintiff Dale Alton. (lam,) (Entered: 04/28/2005)
04/27/2005	112	OBJECTIONS to Defendant's Designated Exhibits by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Dale Alton. (lam,) (Entered: 04/28/2005)
04/27/2005	113	Supplementary Proposed Voir Dire Question by Plaintiffs Equal Employment Opportunity Commission, Dale Alton. (lam,) (Entered: 04/28/2005)
04/28/2005	114	Joint MOTION for Order Approving the Use of Preservation Desposition at Trial and Req for Expedited Ruling by Plaintiff Equal Employment Opportunity Commission. (lam,) (Entered: 04/29/2005)
05/02/2005	115	RESPONSE to Plaintiff's [110] MOTION for Order to Limit Evidence filed by Defendant Echostar Communications Corporation. (lam,) (Entered: 05/03/2005)
05/02/2005	116	REQUEST that the Court Take Judicial Notice of 42 U.S.C. section 2000e-5(b) Before Opening Statements Commence by Plaintiff Equal Employment Opportunity Commission. (lam,) (Entered: 05/03/2005)
05/02/2005	117	REQUESTS for Limiting and Cautionary Instructions on Plaintiffs' Exhibit No. 6 and on any Document that Contains Statements or Interpretations About the Law that Governs this Case by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Dale Alton. (lam,) (Modified text on 5/3/2005 re: Request) (lam,). (Entered: 05/03/2005)
05/02/2005	118	REQUESTS for Limiting Instructions and for Expedited Preliminary Ruling Before Opening Statements by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Dale Alton. (lam,) (Entered: 05/03/2005)
05/02/2005	119	Attachments A and B (APPENDIX) to [118] Requests for Limiting Instructions by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Dale Alton. (lam,) (Entered: 05/03/2005)
05/02/2005	120	Minute Entry for proceedings held before Judge Richard P. Matsch : Jury Trial Day One held on 5/2/2005; Defendant's contention re: inaccuracy of the employment application is granted; Plaintiffs' [110] MOTION to Limit Evidence Based on Sitpulations is denied; Joint [111] MOTION to Amend PTO is granted

		[100]. (Court Reporter -FTR) (lam,) (Entered: 05/04/2005)
05/02/2005	121	Witness List by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Dale Alton. (lam,) (Entered: 05/06/2005)
05/02/2005	122	Witness List by Defendant Echostar Communications Corporation. (lam,) (Entered: 05/06/2005)
05/03/2005	123	Minute Entry for proceedings held before Judge Richard P. Matsch : Jury Trial held on 5/3/2005. Attachment: Note from Juror #9. (Court Reporter -FTR.) (lam,) (Entered: 05/06/2005)
05/04/2005	124	Minute Entry for proceedings held before Judge Richard P. Matsch : Jury Trial Day 3 held on 5/4/2005; Written stipulations are received and shall be submitted to the jury. Attachments: Note from Juror, Seat 6, Refused Pretext Instruction, and Plaintiffs' Request for "Mixed-Motive" Instruction. (Court Reporter -FTR) (lam,) (Entered: 05/06/2005)
05/05/2005	125	Minute Entry for proceedings held before Judge Richard P. Matsch : Jury Trial held on 5/5/2005. Trial to Jury Day 4. (Court Reporter FTR.) (dlb,) (Entered: 05/09/2005)
05/06/2005	126	Minute Entry for proceedings held before Judge Richard P. Matsch : Jury Trial completed on 5/6/2005. 1:54 p.m. Presiding juror states jury has reached a verdict. (Court Reporter 5/6/05.) (dlb,) (Entered: 05/09/2005)
05/06/2005	127	JURY VERDICT. On Pla's claim of failure to administer employment tests we find in favor of plaintiffs. On Pla's claim of failure to provide reasonable accommodation we find in favor of Plaintiffs. On Pla's claim of failure to provide reasonable accommodation for Dale Alton to perform the duties we find in favor of Plaintiffs. On Pla's claim of denial of employment opportunities we find in favor of Plaintiffs. Did the Dft's violation of the ADA cause Dale Alton Lost wages and benefits, yes. State the amount of damages, \$2,000. Did Dft's violation of the ADA cause other damages to Dale Alton, yes. State the amount of damages, \$5,000. Did Echostar act with malice or reckless indifference to Dale Alton's federally protected rights, yes. State the amount of punitive damages against Echostar Communications Corporation, \$8,000,000.(dlb,) (Entered: 05/09/2005)
05/06/2005	128	STIPULATION AND ORDER REGARDING CUSTODY OF EXHIBITS AND DEPOSITIONS. Signed by Judge Richard P. Matsch on 5/6/05. (dlb,) (Entered: 05/09/2005)
05/17/2005	129	Post-Trial STATUS REPORT by the parties. (dlb,) (Entered: 05/18/2005)
05/27/2005	130	MOTION for Remittitur (Order) upon entry of Judgment, this Court enter Judgment as set forth in this Motion by Defendant Echostar Communications Corporation. (lam,) (Modified on 5/31/2005 adding text to clarify)(lam,). (Modified on 8/26/2005 to re-activate motion -termed in error) (gms,). (Entered: 05/31/2005)
06/10/2005	131	Post-Trial STATUS REPORT by Plaintiff Equal Employment Opportunity Commission, Defendant Echostar Communications Corporation, Intervenor Plaintiff Dale Alton. (erv,) (Entered: 06/13/2005)

06/16/2005	132	Plaintiff's Unopposed MOTION for Enlargement of Time to File Response to Defendant's [130] MOTION for Remittitur to and including 8/15/05 by Intervenor Plaintiff Dale Alton. (djs,) (Entered: 06/17/2005)
06/20/2005	133	ORDER granting Plaintiff and Plaintiff/Intervenor's [132] Motion for Extension of Time to File Response to Defendant's [130] MOTION for Remittitur to 8/15/05. Signed by Judge Richard P. Matsch on 6/20/05. (lam,) (Entered: 06/20/2005)
08/15/2005	134	STATUS REPORT , <i>Post Trial & Joint Motion for Extension of Time</i> by Plaintiff Equal Employment Opportunity Commission. (Kittle, Rita) (Entered: 08/15/2005)
08/16/2005	135	ORDER upon Post-Trial Status Report and [130] Joint Motion for Enlargement of Time for Plaintiff to Respond to Motion for Remittitur, that on or before 8/31/05, the parties will submit either a final status report or a stipulation consent decree. That the time within which the Plaintiff and Plaintiff/Intervenor shall respond to the Defendant's Motion for Remittitur is extended to 9/7/05. Signed by Judge Richard P. Matsch on 8/16/05. (lam,) (Entered: 08/16/2005)
08/31/2005	136	STATUS REPORT <i>Final Joint</i> by Plaintiff Equal Employment Opportunity Commission. (Kittle, Rita) (Entered: 08/31/2005)
09/07/2005	137	SETTLEMENT AGREEMENT <i>Consent Decree (executed by parties)</i> by Plaintiff Equal Employment Opportunity Commission. (Kittle, Rita) (Entered: 09/07/2005)
09/07/2005	138	First MOTION to <i>approve consent decree and dismiss remittitur motion as moot</i> by Intervenor Plaintiff Dale Alton. (Gaar, Dale) (Entered: 09/07/2005)
09/08/2005	139	ORDER dismissing [130] Defendant's Motion for Remittitur as moot. Signed by Judge Richard P. Matsch on 9/8/05. (lam2,) (Entered: 09/08/2005)
09/08/2005	140	CONSENT DECREE resolving all issues alleged in this lawsuit, and constitutes a complete resolution of all of the Plaintiffs' claims of unlawful employment practices under ADA as set forth in this Consent Decree. That Echostar agrees to pay \$450,000.00, to be disbursed among the plaintiffs as set forth in this Consent Decree. Echostar shall provide semi-annual reports for each six-month period following the date the Court signs the Decree as set forth in this Consent Decree. Upon submission of the final report, within which the Commission has not filed an objection, the parties shall file a Joint Stipulation for Dismissal with Prejudice as set forth in this Consent Decree, which will dissolve this Decree and this action will be dismissed with prejudice. Signed by Judge Richard P. Matsch on 9/8/05. (lam2,) (Entered: 09/08/2005)

PACER Service Center

Transaction Receipt

06/01/2007 10:40:41

PACER Login:	hs0328	Client Code:	eeoc
---------------------	--------	---------------------	------

Description:	Docket Report	Search Criteria:	1:02-cv-00581-RPM-BNB
Billable Pages:	9	Cost:	0.72
