

NDISPO, TERMED

**U.S. District Court  
District of Colorado (Denver)  
CIVIL DOCKET FOR CASE #: 1:05-cv-01880-LTB-MJW**

Equal Employment Opportunity Commission v. Mini Mart, Inc.  
Assigned to: Chief Judge Lewis T. Babcock  
Referred to: Magistrate Judge Michael J. Watanabe  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/28/2005  
Date Terminated: 05/24/2006  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Anjuli Kelotra**  
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**Intervenor Plaintiff**

**Suzanne L. Diesing**

represented by **Stephen P. Gilmartin**  
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**Intervenor Plaintiff****Sarah Short**

represented by **Stephen P. Gilmartin**  
 (See above for address)  
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V.

**Defendant**

**Mini Mart, Inc.**  
*doing business as*  
 Loaf 'N Jug

represented by **Andrew Wayne Volin**  
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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/28/2005	<a href="#"><u>1</u></a>	COMPLAINT and jury trial demand against Mini Mart, Inc. Summons Issued, filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#"><u>1</u></a> Civil

		Cover Sheet)(bpm, ) (Entered: 09/29/2005)
11/03/2005	<a href="#">2</a>	WAIVER OF SERVICE Returned Executed by Equal Employment Opportunity Commission. Mini Mart, Inc. waiver sent on 10/4/2005, answer due 12/5/2005. (Kelotra, Anjuli) (Entered: 11/03/2005)
12/01/2005	<a href="#">3</a>	ANSWER to Complaint by Mini Mart, Inc..(Volin, Andrew) (Entered: 12/01/2005)
12/01/2005	<a href="#">4</a>	CORPORATE DISCLOSURE STATEMENT by Defendant Mini Mart, Inc.. (Volin, Andrew) (Entered: 12/01/2005)
12/05/2005	<a href="#">5</a>	ORDER REFERRING CASE to Magistrate Judge Michael J. Watanabe by Judge Babcock. (gms, ) (Entered: 12/05/2005)
12/06/2005	<a href="#">6</a>	Proposed INTERVENOR COMPLAINT against <i>Mini-Mart, Inc. d/b/a Loaf 'N Jug</i> , filed by Suzanne L. Diesing, Sarah Short. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order Granting Intervention)(Gilmartin, Stephen) (Entered: 12/06/2005)
12/07/2005	<a href="#">7</a>	Proposed MOTION to Intervene by Interested Parties Suzanne L. Diesing, Sarah Short. (Attachments: # <a href="#">1</a> Proposed Document Complaint in Intervention and Jury Demand# <a href="#">2</a> Proposed Order (PDF Only) Proposed Order Granting Intervention)(Gilmartin, Stephen) (Entered: 12/07/2005)
12/07/2005	<a href="#">8</a>	Minute ORDER granting <a href="#">7</a> Motion to Intervene as of Right, by Judge Lewis T. Babcock on 12/7/05. (emksl, ) (Entered: 12/07/2005)
12/07/2005	<a href="#">9</a>	INTERVENOR COMPLAINT against Mini-Mart, filed by Suzanne L. Diesing and Sarah Short, pursuant to Minute Order of 12/7/05.(emksl, ) (Entered: 12/07/2005)
12/07/2005	<a href="#">11</a>	ORDER: Scheduling Conference set for 1/19/2006 09:30 AM in Courtroom A 502 before Magistrate Judge Michael J. Watanabe. Signed by Magistrate Judge Michael J. Watanabe on 12/7/05. (emksl, ) (Entered: 12/08/2005)
12/08/2005	10	Docket Annotation re: <a href="#">6</a> Intervenor Complaint. This document is actually the motion to intervene, not a complaint in intervention. Counsel re-file during the appropriate event (Doc #7). Text only entry - no document attached. (gms, ) (Entered: 12/08/2005)
12/09/2005	<a href="#">12</a>	NOTICE of Entry of Appearance by Raymond Myles Deeny on behalf of Mini Mart, Inc. (Deeny, Raymond) (Entered: 12/09/2005)
12/27/2005	<a href="#">13</a>	ANSWER to Intervenor Complaint by Mini Mart, Inc..(Volin, Andrew) (Entered: 12/27/2005)
01/06/2006	<a href="#">14</a>	Unopposed MOTION for Protective Order by Defendant Mini Mart, Inc.. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Volin, Andrew) (Entered: 01/06/2006)
01/09/2006	15	MEMORANDUM referring to Magistrate Judge Watanabe : <a href="#">14</a> Unopposed MOTION for Protective Order filed by Mini Mart, Inc., by Judge Lewis T. Babcock on 1/9/06. (Text Only Entry - No Document Attached) (emksl, ) (Entered: 01/09/2006)

01/10/2006	<a href="#">16</a>	MINUTE ORDER granting <a href="#">14</a> Defendant's Unopposed Motion for Protective Order, by Magistrate Judge Michael J. Watanabe on 1/10/06. (emksl, ) (Entered: 01/11/2006)
01/10/2006	<a href="#">17</a>	STIPULATED PROTECTIVE ORDER pursuant to Minute Order of 1/10/06. Signed by Magistrate Judge Michael J. Watanabe on 1/10/06. (emksl, ) (Entered: 01/11/2006)
01/12/2006	<a href="#">18</a>	Proposed Scheduling Order by Intervenor Plaintiffs Suzanne L. Diesing, Sarah Short, Plaintiff Equal Employment Opportunity Commission, Defendants Mini Mart, Inc., Mini Mart, Inc.. (Rogers, Kim) (Entered: 01/12/2006)
01/17/2006	<a href="#">19</a>	Unopposed MOTION For Extension of Time to <i>File Initial Disclosures</i> by Intervenor Plaintiffs Suzanne L. Diesing, Sarah Short. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) Proposed Order)(Gilmartin, Stephen) (Entered: 01/17/2006)
01/18/2006	20	MEMORANDUM referring to Magistrate Judge Watanabe : <a href="#">19</a> Unopposed MOTION For Extension of Time to <i>File Initial Disclosures</i> filed by Sarah Short, Suzanne L. Diesing, by Judge Lewis T. Babcock on 1/18/06. (Text Only Entry - No Document Attached) (emksl, ) (Entered: 01/19/2006)
01/18/2006	<a href="#">23</a>	ORDER granting the <a href="#">19</a> Unopposed MOTION For Extension of Time to <i>File Initial Disclosures</i> filed by Sarah Short and Suzanne L. Diesing. Signed by Magistrate Judge Michael J. Watanabe on 1/18/06. (emksl, ) (Entered: 01/19/2006)
01/19/2006	<a href="#">21</a>	Minute Entry/Minute Order for proceedings held before Judge Michael J. Watanabe : Scheduling Conference held on 1/19/2006. Discovery due by 7/19/2006. Dispositive Motions due by 9/1/2006. Confidential settlement statements due 5/1/2006. Settlement Conference set for 5/4/2006 01:30 PM in Courtroom A 502 before Magistrate Judge Michael J. Watanabe. Proposed Pretrial Order due by 10/30/2006. Final Pretrial Conference set for 11/3/2006 09:00 AM in Courtroom A 502 before Magistrate Judge Michael J. Watanabe. Trial Preparation Conference set for 5/9/2007 at 08:00 AM in Courtroom A 201 before Chief Judge Lewis T. Babcock. Jury Trial set for 6/5/2007 08:30 AM in Courtroom A 201 before Chief Judge Lewis T. Babcock. Unopposed motion for extension of time to file initial disclosures (19) is granted.(Court Reporter FTR - S. Moore.) (mjwcd, ) (Entered: 01/19/2006)
01/19/2006	22	ORDER granting Motion for Extension of Time <a href="#">19</a> pursuant to the courtroom minutes/minute order of 1/19/2006. Entered by Magistrate Judge Michael J. Watanabe on 1/19/06. (mjwcd, ) (Entered: 01/19/2006)
01/19/2006	<a href="#">24</a>	SCHEDULING ORDER: Discovery due by 7/19/2006. Dispositive Motions due by 9/1/2006. Settlement Conference set for 5/4/2006 01:30 PM in Courtroom A 502 before Magistrate Judge Michael J. Watanabe. Proposed Pretrial Order due by 10/30/2006. Final Pretrial Conference set for 11/3/2006 09:00 AM in Courtroom A 502 before Magistrate Judge Michael J. Watanabe. Trial Preparation Conference set for 5/9/2007 at 08:00 AM in Courtroom A 201 before Chief Judge Lewis T. Babcock. Jury Trial set for 6/5/2007 08:30 AM in Courtroom A 201 before Chief Judge Lewis T. Babcock. Signed by Magistrate Judge Michael J. Watanabe on 1/19/06. (emksl, ) (Entered: 01/19/2006)

01/23/2006	<a href="#">25</a>	MINUTE ORDER, Set Hearings:Ten Day Jury Trial set for 6/4/2007 08:30 AM in Courtroom A 201 before Chief Judge Lewis T. Babcock. Trial Preparation Conference set for 5/9/2007 at 08:00 AM in Courtroom A 201 before Chief Judge Lewis T. Babcock. by Chief Judge Lewis T. Babcock on 1/23/06. (erv, ) (Entered: 01/23/2006)
01/24/2006	<a href="#">26</a>	Stipulated MOTION For Extension of Time to <i>Answer Discovery Requests</i> by Intervenor Plaintiffs Suzanne L. Diesing, Sarah Short. (Gilmartin, Stephen) (Entered: 01/24/2006)
01/27/2006	27	MEMORANDUM referring to Magistrate Judge Watanabe : <a href="#">26</a> Stipulated MOTION For Extension of Time to <i>Answer Discovery Requests</i> filed by Sarah Short, Suzanne L. Diesing, by Judge Lewis T. Babcock on 1/27/06. (Text Only Entry - No Document Attached) (emksl, ) (Entered: 01/27/2006)
01/30/2006	<a href="#">28</a>	MINUTE ORDER granting to 2/20/06 <a href="#">26</a> Stipulated MOTION For Extension of Time to Answer Discovery Requests by Magistrate Judge Michael J. Watanabe on 1/30/06. (dlb, ) (Entered: 01/30/2006)
02/17/2006	<a href="#">29</a>	Unopposed MOTION For Extension of Time to <i>Complete Responses to Defendant's First Discovery Requests to Plaintiff Intervenor</i> s by Intervenor Plaintiffs Suzanne L. Diesing, Sarah Short. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only))(Gilmartin, Stephen) (Entered: 02/17/2006)
02/21/2006	30	MEMORANDUM referring to Magistrate Judge Watanabe : <a href="#">29</a> Unopposed MOTION For Extension of Time to Complete Responses to Defendant's First Discovery Requests to Plaintiff Intervenor by Intervenor Plaintiffs (Text Only Entry - No Document Attached) by Judge Lewis T. Babcock on 2/21/06. (dlb, ) (Entered: 02/21/2006)
02/22/2006	<a href="#">31</a>	ORDER regarding Intervenor's Discovery Response Deadlines: granting Unopposed <a href="#">29</a> Motion for Extension of Time and Partial Extension of Time to Complete Responses to Defendant's First Discovery Requests. Intervenor's shall have until and including 02/27/06 to file initial, partial responses to Defendant's First Discovery requests, and until and including 03/22/06 to file reminder of responses. Signed by Magistrate Judge Michael J. Watanabe on 02/22/06. (rlp, ) (Entered: 02/22/2006)
02/23/2006	<a href="#">32</a>	NOTICE of Entry of Appearance by William Albert Wright on behalf of Mini Mart, Inc. (Wright, William) (Entered: 02/23/2006)
03/06/2006	<a href="#">33</a>	Unopposed MOTION to Amend/Correct/Modify <a href="#">13</a> Answer to Intervenor Complaint, <a href="#">3</a> Answer to Complaint by Defendant Mini Mart, Inc.. (Wright, William) (Entered: 03/06/2006)
03/06/2006	<a href="#">34</a>	<i>First Amended</i> ANSWER to Complaint <a href="#">1</a> and <a href="#">9</a> by Mini Mart, Inc..(Wright, William) Modified to add links to complaints on 3/7/2006 (rlp, ). (Entered: 03/06/2006)
03/06/2006	35	Docket Annotation re: <a href="#">34</a> Answer to Complaint. Modified to add links to complaints on 3/7/2006 Text only entry - no document attached. (rlp, ) (Entered: 03/07/2006)

03/08/2006	<a href="#">36</a>	MINUTE ORDER granting Defendant's Unopposed <a href="#">33</a> Motion to Amend Answer, the First Amended Order is accepted for filing, by Judge Lewis T. Babcock on 03/08/06. (rlp, ) (Entered: 03/08/2006)
03/20/2006	<a href="#">37</a>	Unopposed MOTION For Extension of Time to <i>Respond to Plaintiffs' 1st Set of Requests for Production &amp; Interrogatories</i> by Defendant Mini Mart, Inc.. (Volin, Andrew) (Entered: 03/20/2006)
03/21/2006	38	MEMORANDUM referring to Magistrate Judge Watanabe : <a href="#">37</a> Unopposed MOTION For Extension of Time to <i>Respond to Plaintiffs' 1st Set of Requests for Production &amp; Interrogatories</i> filed by Mini Mart, Inc., by Judge Lewis T. Babcock on 03/21/06. (Text Only Entry - No Document Attached)(rlp, ) (Entered: 03/21/2006)
03/22/2006	<a href="#">39</a>	MINUTE ORDER granting Defendant's <a href="#">37</a> Motion for Extension of Time to Respond to Plaintiff's First Set of Requests and Interrogatories, Defendant has up to 04/11/06 to respond. Signed by Magistrate Judge Michael J. Watanabe on 03/22/06. (rlp, ) (Entered: 03/22/2006)
04/04/2006	<a href="#">40</a>	Joint MOTION to Amend/Correct/Modify <a href="#">24</a> <i>Scheduling Order</i> by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) To Amend Scheduling Order)(Rogers, Kim)Modified to create link to scheduling order on 4/5/2006 (rlp, ). (Entered: 04/04/2006)
04/05/2006	41	Docket Annotation re: <a href="#">40</a> Joint MOTION to Amend/Correct/Modify <i>Scheduling Order</i> . Modified docket text to create link to scheduling order, #24, on 4/5/2006 (rlp, ). Text only entry - no document attached. (rlp, ) (Entered: 04/05/2006)
04/05/2006	42	MEMORANDUM referring to Magistrate Judge Watanabe : <a href="#">40</a> Joint MOTION to Amend/Correct/Modify <i>Scheduling Order</i> filed by Equal Employment Opportunity Commission, by Judge Lewis T. Babcock on 04/05/06. (Text Only Entry - No Document Attached)(rlp, ) (Entered: 04/05/2006)
04/10/2006	<a href="#">43</a>	Minute ORDER granting Joint <a href="#">40</a> Motion to Amend Scheduling Order. Discovery cutoff is 8/18/06, dispositive motion deadline is 9/29/06, by Magistrate Judge Michael J. Watanabe on 4/10/06. (gms, ) (Entered: 04/10/2006)
04/10/2006	<a href="#">44</a>	Utility Setting/Resetting Deadlines/Hearings: Discovery due by 8/18/2006. Dispositive Motions due by 9/29/2006, pursuant to minute order of 4/10/06. Text only entry - no document attached. (gms, ) (Entered: 04/10/2006)
05/04/2006	<a href="#">45</a>	Minute Entry/Minute Order for proceedings held before Magistrate Judge Michael J. Watanabe : Settlement Conference held on 5/4/2006. The Settlement Agreement is approved. Parties shall submit their Joint Stipulated Motion for Dismissal to Chief Judge Babcock by May 19, 2006. All further hearings before Magistrate Judge Watanabe are VACATED. (Court Reporter FTR - S. Moore.) (mjwcd, ) (Entered: 05/05/2006)
05/19/2006	<a href="#">46</a>	MINUTE ORDER parties shall have up to and including May 22,2006, in which to file their Joint Stipulation for Dismissal in this case, by Magistrate Judge Michael J. Watanabe on 05/19/06. (rlp, ) (Entered: 05/19/2006)
05/22/2006	<a href="#">47</a>	Joint MOTION for Order to <i>for Entry of Consent Decree</i> by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Proposed Document Proposed Consent Decree and Order)(Kelotra, Anjuli) (Entered: 05/22/2006)

05/23/2006	<a href="#">48</a>	Interim MOTION to Dismiss Party <i>Plaintiff-Intervenors and for Entry of Judgment Pursuant to Fed.R.Civ.P. 54(b)</i> by Intervenor Plaintiffs Suzanne L. Diesing, Sarah Short, Plaintiff Equal Employment Opportunity Commission, Defendant Mini Mart, Inc.. (Attachments: # <a href="#">1</a> Proposed Order (PDF Only) of Dismissal and Directing Entry of Partial Judgment)(Volin, Andrew) (Entered: 05/23/2006)
05/23/2006	<a href="#">49</a>	CONSENT DECREE: Each party shall be responsible for and shall pay its own costs and attorney?s fees. Signed by Judge Lewis T. Babcock on 05/23/06. (rlp, ) (Entered: 05/25/2006)
05/24/2006	<a href="#">50</a>	ORDER DISMISSING CASE: the claims of the Plaintiff Intervenors are dismissed with prejudice, with each party to bear her or its own costs and attorneys fees. The Court finds there being no just reason to delay entry of judgment with respect to those claims, it is ORDERED judgment shall enter on thoseclaims in favor of Defendant, pursuant to Fed.R.Civ.P. 54(b).Signed by Judge Lewis T. Babcock on 05/24/06. (rlp, ) (Entered: 05/25/2006)
05/26/2006	<a href="#">51</a>	JUDGMENT is entered in favor of Defendant Mini Mart, Inc., d/b/a Loaf'N'Jug, and against Plaintiff-Intervenors, Suzanne L. Diesing and Sarah Short, dismissing the Plaintiff-Intervenors' claims with prejudice. Each party shall bear her or its own costs and attorneys fees. Signed on 05/26/06. (rlp, ) (Entered: 05/26/2006)

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