

TERMED

**U.S. District Court
District of Colorado (Denver)
CIVIL DOCKET FOR CASE #: 1:03-cv-01911-EWN-CBS**

EEOC v. Phase II Company Inc
Assigned to: Judge Edward W. Nottingham
Referred to: Magistrate Judge Craig B Shaffer
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/26/2003
Date Terminated: 10/26/2004
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Lynn L. Palma**
U.S. Equal Employment Opportunity
Commission-Colorado
303 East 17th Avenue
#510
Denver, CO 80203
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Phase II Company, Inc.
doing business as
Phase 2 Company

represented by **Susan M. Schaecher**
Stettner Miller, P.C.
Independence Plaza
1050 Seventeenth Street
#700
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Date Filed	#	Docket Text
09/26/2003	1	COMPLAINT (Summons(es) issued); jury demand (bpm) (Entered: 09/29/2003)
10/01/2003	2	ORDER R16,stat,slmt,pt,pto Case referred to Magistrate Judge Craig B. Shaffer and General Case Management Order by Judge Edward W. Nottingham; disp motions ddl 5/26/04 (cc: to counsel) (pap) (Entered: 10/02/2003)

10/15/2003	3	Minute ORDER FOR RULE 16 CONFERENCE by Magistrate Judge Craig B. Shaffer ; Rule 16 conference set for 8:00 12/4/03 (cc: all counsel) (pap) (Entered: 10/16/2003)
10/30/2003	4	WAIVER OF SERVICE of Summons and Complaint by defendant Phase II Company Inc on 10/3/03 signed by Susan M. Schaecher, Esq (pap) (Entered: 10/31/2003)
11/21/2003	5	Unopposed MOTION by plaintiff to reschedule the scheduling conf set 12/4/03 to a status conf and to extend certain dates under the order et (pap) (Entered: 11/24/2003)
11/24/2003	6	MEMORANDUM by Judge Edward W. Nottingham referring to Magistrate Judge Craig B. Shaffer the motion to reschedule the scheduling conf set 12/4/03 to a status conf and to extend certain dates under the order et [5-1] (pap) (Entered: 11/25/2003)
11/26/2003	7	MINUTE ORDER : by Magistrate Judge Craig B. Shaffer granting pla's unopposed motion to reschedule the scheduling conf set 12/4/03 to a status conf and to extend certain dates under the order et [5-1] ; rule 16 conf 12/4/03 converted to telephonic status conf and reset for 9:00 12/8/03 (cc: all counsel) ; entry date 11/28/03 (pap) (Entered: 11/28/2003)
12/02/2003	8	AFFIDAVIT of Alison Larsen re: complaint [1-1] (pap) (Entered: 12/03/2003)
12/02/2003	9	MOTION by defendant Phase II Company Inc to dismiss , or, in the alternative, for summary judgment (pap) (Entered: 12/03/2003)
12/02/2003	10	BRIEF by defendant Phase II Company Inc in support of motion to dismiss [9-1], motion for summary judgment [9-2] (pap) (Entered: 12/03/2003)
12/04/2003	11	MOTION by Damian Rodriguez Armendariz, Joel Cervantes, Fernando Chavez Esparza, Ivan J. Garcia, Felipe Rodriguez Gonzales, Sergio Hernandez, Jose Manuel Nunez, Jose Hector Quinones, Mike Rios, Jose San Miguel, EEOC to intervene (pap) (Entered: 12/05/2003)
12/04/2003	12	MEMORANDUM by Judge Edward W. Nottingham referring to Magistrate Judge Craig B. Shaffer the motion to intervene [11-1] (erv) (Entered: 12/05/2003)
12/08/2003	13	COURTROOM MINUTES by Magistrate Judge Craig B. Shaffer ; telephonic status/scheduling conf held 12/8/03 ; rule 16 conference reset for 1:00 1/5/04 ; entry date : 12/10/03 Court Reporter: FTR Reporter Deck Courtroom 3 (pap) (Entered: 12/10/2003)
12/08/2003	14	MINUTE ORDER : by Magistrate Judge Craig B. Shaffer regarding [13-2] minutes; scheduling conf set for 1/5/04 1:00 (cc: all counsel) ; entry date : 12/10/03 (pap) (Entered: 12/10/2003)
12/10/2003	15	MINUTE ORDER : by Magistrate Judge Craig B. Shaffer responses are due on or befoe 12/24/03 to [11-1] motion to intervene; setting hearing on motion to intervene [11-1] 1:00 1/5/04 (cc: all counsel) ; entry date : 12/11/03 (pap) (Entered: 12/11/2003)

12/11/2003	16	Disclosure STATEMENT by defendant Phase II Company Inc pursuant to LR 7.4 (pap) (Entered: 12/12/2003)
12/19/2003	17	MINUTE ORDER : by Magistrate Judge Craig B. Shaffer ; rule 16 conference reset for 8:30 1/5/04 (cc: all counsel) ; entry date : 12/22/03 (pap) (Entered: 12/22/2003)
12/22/2003	18	BRIEF by plaintiff EEOC in opposition to dft's motion to dismiss [9-1], motion for summary judgment [9-2] (pap) (Entered: 12/23/2003)
12/22/2003	19	BRIEF by Applicants in Intervention Damian Rodriguez Armendariz, et al in opposition to dft's motion to dismiss [9-1], motion for summary judgment [9-2] (pap) (Entered: 12/23/2003)
12/24/2003	20	RESPONSE by defendant Phase II Company Inc to motion to intervene [11-1] (pap) (Entered: 12/26/2003)
12/24/2003	21	RESPONSE by plaintiff EEOC to motion to intervene [11-1] (pap) (Entered: 12/26/2003)
12/30/2003	22	REPLY by Applicants in Intervention Damian Rodriguez Armendariz, et al to dft's response to motion for leave to intervene [11-1] (pap) (Entered: 12/31/2003)
12/30/2003	23	MOTION by defendant Phase II Company Inc to strike applicants in intervention's opposition brief [19-1] to dft's motion to dismiss/ motion for sum jgm (pap) (Entered: 12/31/2003)
01/05/2004	24	MINUTE ORDER : by Magistrate Judge Craig B. Shaffer resetting/continuing hearing on motion to intervene [11-1] 11:30 1/12/04 ; rule 16 conference reset/continued for 11:30 1/12/04 (cc: all counsel) ; entry date : 1/6/04 (pap) (Entered: 01/06/2004)
01/05/2004	34	COURTROOM MINUTES by Magistrate Judge Craig B. Shaffer taking under advisement on 1/5/04 the motion to intervene [11-1] ; status/motion conf set for 11:30 1/12/04 ; entry date : 1/15/04 Court Reporter: FTR Reporter Desk Courtroom 3 (pap) (Entered: 01/15/2004)
01/06/2004	25	REPLY brief by defendant Phase II Company Inc in opposition to brief of applicants in intervention in opposition to dft's motion to dismiss [9-1], motion for summary judgment [9-2] (pap) Modified on 01/28/2004 (Entered: 01/07/2004)
01/06/2004	26	REPLY brief by defendant Phase II Company Inc to Pla EEOC's brief in opposition to Dft's motion to dismiss [9-1], motion for summary judgment [9-2] (pap) (Entered: 01/07/2004)
01/09/2004	27	Unopposed Request (MOTION) by plaintiff EEOC for limited stay pursuant to 42 USC 2000e-5(f)(1) for a period of 30 days (pap) (Entered: 01/12/2004)
01/09/2004	28	Supplemental MOTION by Damian Rodriguez Armendariz, et al for leave to intervene (pap) (Entered: 01/12/2004)
01/09/2004	29	RESPONSE by Applicants in Intervention Damian Rodriguez Armendariz, et al to dft's motion to strike applicants in intervention's opposition brief [19-1] to dft's motion to dismiss/ motion for sum jgm [23-1] (pap) (Entered: 01/12/2004)

01/09/2004	31	MEMORANDUM by Judge Edward W. Nottingham referring to Magistrate Judge Craig B. Shaffer the motion for limited stay pursuant to 42 USC 2000e-5(f)(1) for a period of 30 days [27-1] (pap) (Entered: 01/12/2004)
01/12/2004	30	MEMORANDUM by Judge Edward W. Nottingham referring to Magistrate Judge Craig B. Shaffer the motion for leave to intervene [28-1] (pap) (Entered: 01/12/2004)
01/12/2004	32	MOTION by plaintiff EEOC to bifurcate proceedings , or alternatively to extend the dispositive motions ddl (pap) (Entered: 01/13/2004)
01/12/2004	33	COURTROOM MINUTES by Magistrate Judge Craig B. Shaffer ; rule 16 conf 1/12/04 vacated and status conf held 1/12/04 granting Pla's motion for limited stay pursuant to 42 USC 2000e-5(f)(1) for a period of 30 days [27-1], All proceedings stayed until 2/27/04; Ruling on motion for leave to intervene [28-1] is held in abeyance, Ruling on motion to bifurcate proceedings [32-1] is held in abeyance; ; entry date : 1/13/04 Court Reporter: FTR Reporter Deck Courtroom 3 (pap) (Entered: 01/13/2004)
01/14/2004	35	MINUTE ORDER : by Magistrate Judge Craig B. Shaffer regarding [33-2] minutes it is ordered that all matters including discovery are stayed up to and including 2/27/04; Ordered that Ruling on motion to bifurcate proceedings [32-1] and Ruling on motion to extend the dispositive motions ddl [32-2] is held in abeyance during the pendency of the stay; (cc: all counsel) ; entry date : 1/15/04 (pap) (Entered: 01/15/2004)
01/21/2004	36	MINUTE ORDER : by Magistrate Judge Craig B. Shaffer ; settlement conf set for 5:30 2/10/04 - 2/11/4 (cc: all counsel) ; entry date : 1/22/04 (pap) (Entered: 01/22/2004)
02/10/2004	37	MEMORANDUM by Magistrate Judge Craig B. Shaffer ; settlement conf held 2/10/04 , no settlement was reached (pap) (Entered: 02/12/2004)
02/27/2004	38	MINUTE ORDER : by Magistrate Judge Craig B. Shaffer ; settlement conf set for 3:30 4/13/04 ; updated confidential settlement statements are due on or before 4/6/04; (cc: all counsel) ; entry date : 2/27/04 (pap) (Entered: 02/27/2004)
02/27/2004	39	Joint MOTION by plaintiff and defendant to extend dispositive motion cutoff date to 7/21/04 (pap) (Entered: 03/01/2004)
02/27/2004	41	COURTROOM MINUTES by Magistrate Judge Craig B. Shaffer Telephonic Status Conf held 2/27/04 ; settlement conf set for 4/13/04 3:30; entry date : 3/2/04 Court Reporter: FTR Reporter Deck Courtroom 3 (pap) (Entered: 03/02/2004)
03/01/2004	40	MEMORANDUM by Judge Edward W. Nottingham referring to Magistrate Judge Craig B. Shaffer the motion to extend dispositive motion cutoff date to 7/21/04 [39-1] (pap) (Entered: 03/02/2004)
03/09/2004	42	MINUTE ORDER : by Magistrate Judge Craig B. Shaffer pending joint [39-1] motion to extend dispositive motion cutoff date to 7/21/04 ; telephonic status conf set for 8:30 3/18/04 (cc: all counsel) ; entry date : 3/10/04 (pap) (Entered: 03/10/2004)

03/18/2004	43	COURTROOM MINUTES by Magistrate Judge Craig B. Shaffer ; telephonic status conf held 3/18/04 ; denying w/o prejudice dft's joint motion to extend dispositive motion cutoff date to 7/21/04 [39-1] ; entry date : 3/19/04 Court Reporter: FTR Reporter Deck Courtroom 3 (pap) (Entered: 03/19/2004)
03/18/2004	44	MINUTE ORDER : by Magistrate Judge Craig B. Shaffer denying Joint motion to extend dispositive motion cutoff date to 7/21/04 [39-1] (cc: all counsel) ; entry date : 3/19/04 (pap) (Entered: 03/19/2004)
04/14/2004	45	MINUTE ORDER : by Magistrate Judge Craig B. Shaffer ; settlement conf 4/13/04 ; dsm papers ddl set for 5/13/04 (cc: all counsel) ; entry date : 4/15/04 (pap) (Entered: 04/15/2004)
05/13/2004	46	Joint MOTION by plaintiff, defendant for order approving consent decree and preliminary approval of class claims process (gms) (Entered: 05/14/2004)
05/24/2004	47	CONSENT DECREE by Judge Edward W. Nottingham as approved by counsel; granting motion for order approving consent decree and preliminary approval of class claims process [46-1] (cc: all counsel) ; entry date : 5/24/04 (pap) (Entered: 05/24/2004)
06/02/2004	48	NOTICE of withdrawal of motion with prejudice by Applicants in Intervention re: motion for leave to intervene [28-1], re: motion to intervene [11-1] (pap) (Entered: 06/03/2004)
06/04/2004	49	ORDER by Judge Edward W. Nottingham regarding [47-1] Consent Decree denying as moot motion to bifurcate proceedings [32-1], denying as moot motion to extend the dispositive motions ddl [32-2], denying as moot motion to strike applicants in intervention's opposition brief [19-1] to dft's motion to dismiss/ motion for sum jgm [23-1], denying as moot motion to dismiss [9-1], denying as moot motion for summary judgment [9-2] (cc: all counsel) ; entry date : 6/7/04 (pap) (Entered: 06/07/2004)
06/14/2004	50	Joint MOTION by plaintiff and defendant for order approving a correction of the date by which to mail claim forms (pap) (Entered: 06/15/2004)
06/15/2004	51	ORDER by Judge Edward W. Nottingham granting joint motion for order approving a correction of the date by which to mail claim forms [50-1] (cc: all counsel) ; entry date : 6/16/04 (pap) (Entered: 06/16/2004)
01/14/2005	52	MOTION for (Order)the Court's Approval of the Allocation of the Settlement Fund under Section V of Consent Decree by Plaintiff Equal Employment Opportunity Commission. (pap,) (Entered: 01/20/2005)
01/14/2005	53	MOTION to File Under Seal the Proposed Final Distribution List Under Section V of Consent Decree by Plaintiff Equal Employment Opportunity Commission. (pap,) (Entered: 01/20/2005)
01/14/2005	54	Proposed Final Distribution List under Section V (STATEMENT) re [47] Consent Decree by Plaintiff Equal Employment Opportunity Commission. (Filed under Seal and stored with Sealed Documents) (pap,) (Entered: 01/20/2005)
01/26/2005	55	ORDER granting [53] EEOC's Motion to Seal the proposed final distribution list under section V of Consent Decree. Signed by Judge Edward W. Nottingham on 1/26/05. (pap,) (Entered: 01/31/2005)

01/28/2005	56	ORDER granting [52] EEOC's Motion for Court Approval of the Allocation of the Settlement Fund under Section V of Consent Decree. Court further directs that, pursuant to the Joint Motion for preliminary approval filed by the Parties [46] that the parties file a joint motion for dismissal of this case by 2/15/05 . Signed by Judge Edward W. Nottingham on 1/27/05. (pap,) (Entered: 02/01/2005)
02/15/2005	57	JOINT MOTION for Entry of Dismissal by Plaintiff Equal Employment Opportunity Commission, Defendant Phase II Company, Inc. (pap,) (Entered: 02/17/2005)
02/16/2005	58	ORDER granting 57 Joint Motion to Dismiss. Action is dismissed. Signed by Judge Edward W. Nottingham on 2/16/05. (pap,) (Entered: 02/18/2005)

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