

**U.S. District Court  
District of Colorado (Denver)  
CIVIL DOCKET FOR CASE #: 1:04-cv-02686-WDM-CBS**

Tomlinson et al v. El Paso Corporation et al  
Assigned to: Judge Walker D. Miller  
Referred to: Magistrate Judge Craig B. Shaffer  
Case in other court: USCA, 10-01385  
Cause: 29:1001 E.R.I.S.A.: Employee Retirement

Date Filed: 12/29/2004  
Date Terminated: 08/06/2010  
Jury Demand: Plaintiff  
Nature of Suit: 791 Labor: E.R.I.S.A.  
Jurisdiction: Federal Question

**Plaintiff**

**Wayne Tomlinson**  
*individually and on behalf of all others  
similarly situated*

represented by **Barry Douglas Roseman**  
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**Plaintiff**

**Alice Ballesteros**  
*individually and on behalf of all others  
similarly situated*

represented by **Barry Douglas Roseman**  
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**Stephen R. Bruce**  
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**Plaintiff**

**Gary Muckelroy**  
*individually and on behalf of all others  
similarly situated*

represented by **Barry Douglas Roseman**  
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**Stephen R. Bruce**  
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V.

**Defendant**

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**Defendant**

**El Paso Pension Plan**

represented by **Christopher James Rillo**  
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*ATTORNEY TO BE NOTICED*

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(See above for address)  
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 ATTORNEY TO BE NOTICED

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**Joshua B. Kirkpatrick**  
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**Melissa Monheim Randall**  
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 TERMINATED: 11/02/2010

**Interested Party**

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 Inc.**

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Date Filed	#	Docket Text
12/29/2004	1	Class Action COMPLAINT against El Paso Corporation, El Paso Pension Plan (Filing fee \$ 150 #256984.) , filed by plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. Jury demand.(bpm, ) (Entered: 12/30/2004)
12/29/2004		Summons Issued as to El Paso Corporation, El Paso Pension Plan. (bpm, ) (Entered: 12/30/2004)
01/12/2005	2	ORDER returning case to clerk's office for reassignment to another judge. Signed by Judge Zita L. Weinshienk on 1/12/05. (gms, ) (Entered: 01/14/2005)

01/14/2005	3	LETTER REASSIGNING CASE. Case reassigned to Judge Walker D. Miller for all further proceedings. Judge Zita L. Weinshienk is no longer assigned to case. (gms, ) (Entered: 01/14/2005)
02/11/2005	4	WAIVER OF SERVICE Returned Executed by all plaintiffs. El Paso Pension Plan waiver sent on 12/29/2004, accepted by Steven C. Meisgeier, Esq, answer due 2/28/2005. (pap, ) (Entered: 02/15/2005)
02/23/2005	5	MOTION for Extension of Time to Plead or Respond to the 1 Complaint to 3/30/05 by Defendants El Paso Corporation, El Paso Pension Plan. (gms, ) (Entered: 02/24/2005)
02/23/2005	6	Corporate Disclosure by El Paso Corporation, El Paso Pension Plan. (gms, ) (Entered: 02/24/2005)
02/28/2005	7	ORDER REFERRING CASE to Magistrate Judge O. Edward Schlatter; R16,stat,stlmt,pt,pto (dlb, ) (Entered: 03/01/2005)
02/28/2005	8	MINUTE ORDER granting 5 MOTION for Extension of Time to Plead or Respond to the 1 Complaint to 3/30/05 by Defendants El Paso Corporation, El Paso Pension Plan. Answer due 3/30/2005 by Judge Walker D. Miller on 2/28/05. (dlb, ) (Entered: 03/01/2005)
03/01/2005	9	MINUTE ORDER setting Scheduling/Planning Conference set for 4/27/2005 10:00 AM in Courtroom A 601 before Magistrate Judge O. Edward Schlatter by Magistrate Judge O. Edward Schlatter on 3/1/05. (dlb, ) (Entered: 03/02/2005)
03/30/2005	10	MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss defendant El Paso Pension Plan by Defendants El Paso Corporation, El Paso Pension Plan. (dlb, ) (Entered: 03/31/2005)
04/18/2005	11	Plas' Unopposed MOTION for Extension of Time to File Opposition (Response) to dfts' mtn for partial dismissal to 5/20/05 re: 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss defendant El Paso Pension Plan by Defendants El Paso Corporation, El Paso Pension Plan.(dlb, ) (Entered: 04/20/2005)
04/19/2005	12	MEMORANDUM referring to Magistrate Judge Schlatter : 11 MOTION for Extension of Time to File Response/Reply as to 10 MOTION to Dismiss MOTION for More Definite Statement MOTION for More Definite Statement MOTION to Strike 1 Complaint MOTION to Strike 1 Complaint filed by Wayne Tomlinson,, Alice Ballesteros,, Gary Muckelroy, by Judge Walker D. Miller on 4/19/05. (dlb, ) (Entered: 04/21/2005)
04/19/2005	13	MINUTE ORDER resetting Scheduling Conference set for 5/27/2005 09:30 AM in Courtroom A 601 before Magistrate Judge O. Edward Schlatter by Magistrate Judge O. Edward Schlatter on 4/19/05. (dlb, ) (Entered: 04/21/2005)
04/19/2005	14	MINUTE ORDER granting 11 Plas' Unopposed MOTION for Extension of Time to File Opposition (Response) to dfts' mtn for partial dismissal to 5/20/05 re: 10 by Magistrate Judge O. Edward Schlatter on 4/19/05. (dlb, ) (Entered: 04/21/2005)
05/17/2005	15	Pla's MOTION for Extension of Time to File Opposition (Response) to 5/31/05 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss defendant El Paso Pension Plan by Defendants El Paso Corporation, El Paso Pension Plan.(dlb, ) (Entered: 05/18/2005)
05/18/2005	16	MEMORANDUM referring to Magistrate Judge Schlatter : 15 Pla's MOTION for Extension of Time to File Opposition (Response) to 5/31/05 10 MOTION to

		Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: exhaust administrative remedies and to dismiss defendant El Paso Pension Plan by Defendants El Paso Corporation, El Paso Pension Plan by Judge Walker D. Miller on 5/18/05. (dlb, ) (Entered: 05/19/2005)
05/19/2005	17	Dfts' Opposition (RESPONSE) to Second 15 Pla's MOTION for Extension of Time to File Opposition (Response) to 5/31/05 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss defendant El Paso Pension Plan by Defendants El Paso Corporation, El Paso Pension Plan. (dlb, ) (Entered: 05/19/2005)
05/19/2005	18	MINUTE ORDER granting 15 Pla's MOTION for Extension of Time to File Opposition (Response) to 5/31/05 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss defendant El Paso Pension Plan by Defendants El Paso Corporation, El Paso Pension Plan by Magistrate Judge O. Edward Schlatter on 5/19/05. (dlb, ) (Entered: 05/23/2005)
05/25/2005	19	Plas' Memorandum of Law (BRIEF) in Opposition to 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss defendant El Paso Pension Plan by Defendants El Paso Corporation, El Paso Pension Plan. (dlb, ) (Entered: 05/26/2005)
05/26/2005	20	Plas' Memorandum of Law (BRIEF) in Opposition re 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss defendant El Paso Pension Plan by Defendants El Paso Corporation, El Paso Pension Plan. [Unpublished Decisions] (dlb, ) (Entered: 05/27/2005)
05/26/2005	21	MOTION Protective Order staying discovery until disposition of dfts' pretrial motions or in the alternative MOTION for Order limiting all discovery to the notice allegations pleadings in Claims IV and V by Defendants El Paso Corporation, El Paso Pension Plan. (dlb, ) (Entered: 05/27/2005)
05/27/2005	22	Minute Entry for proceedings held before Judge O. Edward Schlatter : Scheduling Conference held on 5/27/2005 re 21 MOTION Protective Order staying discovery until disposition of dfts' pretrial motions or in the alternative MOTION for Order limiting all discovery to the notice allegations pleadings in Claims IV and V by Defendants El Paso Corporation, El Paso Pension Plan. The Court will not rule on the motion at this time. Pla's response due within ten (10) days of this date. Dfts shall then have five (5) days to file a reply. Dfts' shall make initial disclosures by 6/10/05. Discovery cut off: 3/31/06; dispositive motion deadline: 4/28/06; prtrial conference, 9/11/06 at 9:00 a.m.; settlement conference to be set at a later date. (Court Reporter FTR – Ctrm A601.) (dlb, ) (Entered: 05/31/2005)
05/27/2005	23	SCHEDULING ORDER: Discovery due by 3/31/2006. Dispositive Motions due by 4/28/2006. Proposed Pretrial Order due by 9/6/2006. Final Pretrial Conference set for 9/11/2006 09:00 AM in Courtroom A 601 before Magistrate Judge O. Edward Schlatter. Signed by Magistrate Judge O. Edward Schlatter on 5/27/05. (dlb, ) (Modified on 7/25/2005 to correct typo) (dlb, ). (Entered: 05/31/2005)
05/27/2005	24	MINUTE ORDER : Final Pretrial Conference set for 9/11/2006 09:00 AM in Courtroom A 601 before Magistrate Judge O. Edward Schlatter by Magistrate Judge O. Edward Schlatter on 5/27/05. (dlb, ) (Entered: 05/31/2005)

05/31/2005	25	MEMORANDUM referring to Magistrate Judge Schlatter : 21 MOTION Protective Order staying discovery until disposition of dfts' pretrial motions or in the alternative MOTION for Order limiting all discovery to the notice allegations pleadings in Claims IV and V by Defendants El Paso Corporation, El Paso Pension Plan by Judge Walker D. Miller on 5/31/05. (dlb, ) (Entered: 06/01/2005)
05/31/2005	26	MINUTE ORDER re: 21 MOTION Protective Order staying discovery until disposition of dfts' pretrial motions or in the alternative MOTION for Order limiting all discovery to the notice allegations pleadings in Claims IV and V by Defendants El Paso Corporation, El Paso Pension Plan. Pla's responses due by 6/13/05 by Magistrate Judge O. Edward Schlatter on 5/31/05. (dlb, ) (Entered: 06/01/2005)
06/13/2005	27	Plas' Memorandum of Law (BRIEF) in Opposition to 21 MOTION Protective Order staying discovery until disposition of dfts' pretrial motions or in the alternative MOTION for Order limiting all discovery to the notice allegations pleadings in Claims IV and V by Defendants El Paso Corporation, El Paso Pension Plan. (dlb, ) (Entered: 06/14/2005)
06/13/2005	28	Pla's Unpublished Decisions (SUPPLEMENT) to 27 Plas' Memorandum of Law (BRIEF) in Opposition to 21 MOTION Protective Order staying discovery until disposition of dfts' pretrial motions or in the alternative MOTION for Order limiting all discovery to the notice allegations pleadings in Claims IV and V by Defendants El Paso Corporation, El Paso Pension Plan. (dlb, ) (Entered: 06/14/2005)
06/14/2005	29	MINUTE ORDER re: 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss defendant El Paso Pension Plan by Defendants El Paso Corporation, El Paso Pension Plan. The deadline for filing a reply shall be extended to 6/23/05 by Magistrate Judge O. Edward Schlatter on 6/14/05. (dlb, ) (Entered: 06/15/2005)
06/17/2005	30	Defendants' REPLY Memorandum in further support of their 21 MOTION for a Protective Order Staying Discovery Pending Disposition of Defedants' Pleading Motion or in the Alternative. Limiting Discovery to Claim IV and V filed by Defendants El Paso Corporation, El Paso Pension Plan. (djs, ) (Entered: 06/17/2005)
06/21/2005	<u>31</u>	ORDER granting 21 MOTION Protective Order staying discovery until disposition of dfts' pretrial motions or in the alternative MOTION for Order limiting all discovery to the notice allegations pleadings in Claims IV and V by Defendants El Paso Corporation, El Paso Pension Plan. All discovery is hereby stayed pending ruling on dfts' motion to dismiss. Signed by Magistrate Judge O. Edward Schlatter on 6/21/05. (dlb, ) (Entered: 06/21/2005)
06/22/2005	<u>32</u>	AMENDED ORDER re: <u>31</u> ORDER granting 21 MOTION Protective Order staying discovery until disposition of dfts' pretrial motions or in the alternative MOTION for Order limiting all discovery to the notice allegations pleadings in Claims IV and V by Defendants El Paso Corporation, El Paso Pension Plan. All discovery is hereby stayed pending ruling on dfts' motion to dismiss. Signed by Magistrate Judge O. Edward Schlatter on 6/22/05. (dlb, ) (Entered: 06/22/2005)
06/23/2005	<u>33</u>	MOTION to Strike 19 Brief in Opposition to Motion, <i>Defendants' Objections and Motion to Strike Extra Judicial Statements in Plaintiffs' Opposition Brief</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Martin, Raymond) (Entered: 06/23/2005)
06/23/2005	<u>34</u>	REPLY to Response to Motion re 10 MOTION to Dismiss MOTION for More Definite Statement MOTION for More Definite Statement MOTION to Strike 1 Complaint MOTION to Strike 1 Complaint filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A to Defendants' Reply Memorandum of Law# <u>2</u> Exhibit B to Defendants' Reply Memorandum of Law)(Martin, Raymond) (Entered: 06/23/2005)

06/29/2005	<u>35</u>	Mail Returned as Undeliverable re: <u>31</u> Order Addressed to Chrithopher Rillo. (dlb, ) (Entered: 06/30/2005)
07/07/2005	<u>36</u>	BRIEF in Opposition re <u>33</u> MOTION to Strike 19 Brief in Opposition to Motion, <i>Defendants' Objections and Motion to Strike Extra Judicial Statements in Plaintiffs' Opposition Brief</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 07/07/2005)
07/13/2005	<u>37</u>	Mail Returned as Undeliverable Addressed to Christopher Rillo. (dlb, ) (Entered: 07/13/2005)
08/19/2005	<u>38</u>	NOTICE of Change of Address <i>for Christopher J. Rillo</i> by Raymond W. Martin (Martin, Raymond) (Entered: 08/19/2005)
09/07/2005	<u>39</u>	MOTION to Withdraw as Attorney ( <i>Rachel Shaffer</i> ) by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Order (PDF Only) to Motion for Withdrawal of Counsel)(Martin, Raymond) (Entered: 09/07/2005)
09/08/2005	<u>40</u>	MEMORANDUM referring to Magistrate Judge Schlatter : <u>39</u> MOTION to Withdraw as Attorney ( <i>Rachel Shaffer</i> ) filed by El Paso Corporation,, El Paso Pension Plan, by Judge Walker D. Miller on 9/8/05. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 09/08/2005)
09/09/2005	<u>41</u>	ORDER granting <u>39</u> MOTION to Withdraw as Attorney (Rachel Shaffer) by Defendants El Paso Corporation, El Paso Pension Plan. Signed by Magistrate Judge O. Edward Schlatter on 9/9/05. (dlb, ) (Entered: 09/09/2005)
09/16/2005	<u>42</u>	Letter from Stephen R. Bruce (dlb, ) (Entered: 09/16/2005)
09/19/2005	<u>43</u>	RESPONSE to <u>42</u> Letter <i>to the Honorable O. Edward Schlatter</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Martin, Raymond) (Entered: 09/19/2005)
11/01/2005	<u>44</u>	NOTICE of Supplemental Authority re 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss by Defendants El Paso Corporation, El Paso Pension Plan (Rillo, Christopher) (Modified on 11/2/2005 to clarify entry) (dlb, ). (Modified on 11/2/2005 to indicate STRICKEN pursuant to minute order)(dlb, ). (Entered: 11/01/2005)
11/01/2005	<u>45</u>	MINUTE ORDER STRIKING for failure to comply with D.C.Colo.LCivR 5.6 <u>44</u> NOTICE of Supplemental Authority re 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss by Defendants El Paso Corporation, El Paso Pension Plan by Judge Walker D. Miller on 11/1/05. (dlb, ) (Entered: 11/02/2005)
11/02/2005	<u>46</u>	NOTICE of Supplemental Authority re 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss by Defendants El Paso Corporation, El Paso Pension Plan (Rillo, Christopher) (Modified on 11/3/2005 to clarify entry) (dlb, ). (Entered: 11/02/2005)
11/10/2005	<u>47</u>	STATEMENT of Supplemental Authority and response to Dfts' <u>46</u> NOTICE of Supplemental Authority re 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss by Defendants by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit A)(Roseman, Barry) (Modified on 11/10/2005 to correct linkage and clarify entry) (dlb, ). (Entered: 11/10/2005)
11/22/2005	<u>48</u>	NOTICE of Supplemental Authority re MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION

		for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss defendant El Paso Pension Plan by Defendants El Paso Corporation, El Paso Pension Plan (Rillo, Christopher) (Modified on 11/23/2005 to clarify entry) (dlb, ). (Entered: 11/22/2005)
02/08/2006	49	REASSIGNING MAGISTRATE JUDGE. Upon the retirement of Magistrate Judge O. Edward Schlatter, this case has been reassigned and is now referred to Michael E. Hegarty, effective February 15, 2006. All future pleadings should reference Magistrate Judge Hegarty at the end of the civil action number (such as 05-cv-00500-LTB-MEH). The dates and times for all previously scheduled matters will be maintained and will now be handled by Magistrate Judge Hegarty in Courtroom A601. His chambers are located in Room A651. His telephone number is 303-844-4507. (Text only entry – no document attached) (gms, ) (Entered: 02/08/2006)
03/30/2006	<u>50</u>	MINUTE ORDER denying <u>33</u> MOTION to Strike 19 Brief in Opposition to Motion, Defendants' Objections and Motion to Strike Extra Judicial Statements in Plaintiffs' Opposition Brief by Defendants by Judge Walker D. Miller on 3/30/06. (dlb, ) (Entered: 03/30/2006)
04/13/2006	<u>51</u>	STATEMENT re 10 MOTION to Dismiss MOTION for More Definite Statement MOTION for More Definite Statement MOTION to Strike 1 Complaint MOTION to Strike 1 Complaint ( <i>Supplemental Authority</i> ) by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit A)(Roseman, Barry) (Entered: 04/13/2006)
04/19/2006	<u>52</u>	Unopposed MOTION for Leave to <i>File A Response to Notice of New Authority</i> by Defendant El Paso Corporation. (Rillo, Christopher) (Entered: 04/19/2006)
04/19/2006	53	MEMORANDUM referring to Magistrate Judge Hegarty : <u>52</u> Unopposed MOTION for Leave to <i>File A Response to Notice of New Authority</i> filed by El Paso Corporation, by Judge Walker D. Miller on 4/19/06. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 04/19/2006)
04/20/2006	<u>54</u>	RESPONSE to <u>48</u> Notice (Other), Notice (Other) by Defendants El Paso Corporation, El Paso Pension Plan. (Rillo, Christopher) (Entered: 04/20/2006)
04/20/2006	<u>55</u>	Minute ORDER granting Defendants' Unopposed <u>52</u> Motion for Leave to Respond to Plaintiffs' Notice of New Authority. Defendants are directed to electronically file the response, by Magistrate Judge Michael E. Hegarty on 4/20/06. (gms, ) (Entered: 04/20/2006)
08/11/2006	<u>56</u>	NOTICE re 10 MOTION to Dismiss MOTION for More Definite Statement MOTION for More Definite Statement MOTION to Strike 1 Complaint MOTION to Strike 1 Complaint ( <i>Notice of Supplemental Authority in Further Support of</i> ) by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Martin, Raymond) (Entered: 08/11/2006)
08/14/2006	<u>57</u>	Unopposed MOTION to <i>File Response to Defendants' <u>56</u> Notice of Supplementary Authority to 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Roseman, Barry) (Modified on 8/15/2006 to add linkage) (dln, ). (Entered: 08/14/2006)
08/15/2006	58	Docket Annotation re: <u>57</u> Unopposed MOTION to File Response to Defendants' <u>56</u> Notice of Supplementary Authority to 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss by Plaintiff. [Entry modified to add linkage] Text only entry – no document attached. (dln, ) (Entered: 08/15/2006)
08/16/2006	<u>59</u>	MINUTE ORDER Granting if filed within 10 days <u>57</u> Plaintiffs' Unopposed MOTION to File Response to Defendants' <u>56</u> Notice of Supplementary Authority to 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on

		claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss. Entered by Judge Walker D. Miller on 8/16/06. (pap, ) (Entered: 08/16/2006)
08/30/2006	<u>60</u>	NOTICE re <u>56</u> Notice (Other), Notice (Other) <i>Response to Defendants' Notice of Supplemental Authority</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy (Attachments: # <u>1</u> Exhibit)(Bruce, Stephen) (Entered: 08/30/2006)
09/05/2006	<u>61</u>	NOTICE re <u>60</u> Notice (Other) <i>Supplemental Response to Defendants' Notice of Supplemental Authority</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy (Bruce, Stephen) (Entered: 09/05/2006)
09/07/2006	<u>62</u>	MINUTE ORDER: Final Pretrial Conference set for 09/11/2006 is CONVERTED to a Telephonic Status Conference set for 9/11/2006 09:00 AM before Magistrate Judge Michael E. Hegarty by Judge Michael E. Hegarty on 9/6/06. (dln, ) (Entered: 09/07/2006)
09/08/2006	<u>63</u>	NOTICE re <u>61</u> Notice (Other), <u>60</u> Notice (Other) <i>application to respond</i> by Defendants El Paso Corporation, El Paso Pension Plan (Rillo, Christopher) (Entered: 09/08/2006)
09/11/2006	<u>64</u>	Minute Entry/Minute Order for proceedings held before Magistrate Judge Michael E. Hegarty: Telephonic Status Conference held on 9/11/2006. Scheduling Conference set for 10/25/2006 09:00 AM in Courtroom A 601 before Magistrate Judge Michael E. Hegarty. The proposed Scheduling Order shall be submitted to the Court by e-mail and to the Clerk of the Court for electronic filing on October 23, 2006, by noon (12:00 p.m.) Denver time.(Court Reporter FTR – C. Coomes) (mehcd) (Entered: 09/11/2006)
09/11/2006	65	Docket Annotation re: <u>63</u> NOTICE re <u>61</u> Notice (Other), <u>60</u> Notice (Other) application to respond by Defendants filed in error. [Document to be refiled by Counsel as Motion for leave; Exhibits as attachments and a proposed document]. Text only entry – no document attached. (dln, ) (Entered: 09/11/2006)
09/12/2006	<u>66</u>	Unopposed MOTION for Leave to <i>File Reply to Plaintiffs' August 30, 2006 Responses to Defendants' Notice of Supplemental Authority</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Document Defendants' Reply to Plaintiffs' Responses Filed on August 30, 2006 and September 5, 2006)(Martin, Raymond) (Entered: 09/12/2006)
09/12/2006	<u>68</u>	REPLY to Plaintiffs Supplemental Responses <u>60</u> and <u>61</u> re: 10 Notice of Supplementary Authority to 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss by Defendants El Paso Corporation, El Paso Pension Plan. (dln, ) (Entered: 09/13/2006)
09/13/2006	<u>67</u>	MINUTE ORDER granting <u>66</u> Unopposed MOTION for Leave to File Reply to Plaintiffs' August 30, 2006 Responses to Defendants' Notice of Supplemental Authority by Defendants and the same is accepted for filing by Judge Walker D. Miller on 9/12/06.(dln, ) (Entered: 09/13/2006)
09/28/2006	<u>69</u>	NOTICE re 10 MOTION to Dismiss MOTION for More Definite Statement MOTION to Strike 1 Complaint MOTION to Strike 1 Complaint by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Defendants' Notice of Supplementary Authority in Support of Motion# <u>2</u> )(Rillo, Christopher) (Entered: 09/28/2006)
10/05/2006	<u>70</u>	RESPONSE to <u>69</u> NOTICE re 10 MOTION to Dismiss MOTION for More Definite Statement MOTION to Strike 1 Complaint MOTION to Strike 1 Complaint by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Roseman, Barry) (Modified on 10/6/2006 to add linkage)(dln, ). (Entered: 10/05/2006)
10/05/2006	<u>71</u>	Unopposed MOTION for Leave to <i>File Response to Defendants' Notice of Supplemental Authority</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Roseman, Barry) (Entered: 10/05/2006)

10/11/2006	<u>72</u>	MOTION for Leave to <i>File A Reply to Plaintiffs' October 5 Response to Notice of New Authority</i> by Defendant El Paso Corporation. (Attachments: # <u>1</u> Proposed Document)(Rillo, Christopher) (Entered: 10/11/2006)
10/16/2006	<u>73</u>	RESPONSE to Motion re <u>72</u> MOTION for Leave to <i>File A Reply to Plaintiffs' October 5 Response to Notice of New Authority</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 10/16/2006)
10/23/2006	<u>74</u>	Proposed Scheduling Order by Defendants El Paso Corporation, El Paso Pension Plan, Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 10/23/2006)
10/24/2006	<u>75</u>	MINUTE ORDER granting <u>71</u> Unopposed MOTION for Leave to File Response to Defendants' Notice of Supplemental Authority by Plaintiffs by Judge Walker D. Miller on 10/23/06.(dln, ) (Entered: 10/24/2006)
10/24/2006	<u>76</u>	Proposed Scheduling Order ( <i>Corrected</i> ) by Defendants El Paso Corporation, El Paso Pension Plan, Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 10/24/2006)
10/25/2006	<u>77</u>	Courtroom Minutes/Minute Order for proceedings held before Magistrate Judge Michael E. Hegarty. Scheduling Conference held on 10/25/2006: Settlement Conference set for 9/10/2007 at 10:00 a.m. in Courtroom A 601 before Magistrate Judge Michael E. Hegarty; Final Pretrial Conference set for 11/27/2007 at 9:00 a.m. in Courtroom A 601 before Magistrate Judge Michael E. Hegarty. (Court Reporter FTR – Ben Van Dyke) (paccd) (Entered: 10/25/2006)
10/25/2006	<u>78</u>	SCHEDULING ORDER: Discovery due by 8/31/2007., Dispositive Motions due by 9/30/2007., Settlement Conference set for 9/10/2007 10:00 AM before Magistrate Judge Michael E. Hegarty., Final Pretrial Conference set for 11/27/2007 09:00 AM before Magistrate Judge Michael E. Hegarty. Signed by Judge Michael E. Hegarty on 10/25/06. (dln, ) (Entered: 10/25/2006)
11/01/2006	<u>79</u>	MINUTE ORDER granting <u>72</u> MOTION for Leave to File A Reply to Plaintiffs' October 5 Response to Notice of New Authority by Defendant by Judge Walker D. Miller on 11/1/06.(dln, ) (Entered: 11/01/2006)
11/02/2006	<u>80</u>	Plaintiffs' Third STATEMENT of Suppelemtnal Authority re 19 <i>Plas' Memorandum of Law (BRIEF) in Opposition to 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss (Supplemental Authorities)</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Modified on 11/3/2006 to correct linkage) (dln, ). (Entered: 11/02/2006)
11/03/2006	81	Docket Annotation re: <u>80</u> Plaintiffs' Third STATEMENT of Suppelemtnal Authority re 19 <i>Plas' Memorandum of Law (BRIEF) in Opposition to 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss (Supplemental Authorities)</i> . [Entry modified to correct linkage]. Text only entry – no document attached. (dln, ) (Entered: 11/03/2006)
11/03/2006	<u>82</u>	Minute Entry/Minute Order for proceedings held before Magistrate Judge Michael E. Hegarty : Discovery Hearing held on 11/3/2006. (Court Reporter FTR – C. Coomes) (mehcd) (Entered: 11/03/2006)
11/13/2006	84	TRANSCRIPT of Telephonic Discovery Hearing held on November 3, 2006 before Judge Michael E. Hegarty. Prepared by: Avery/Woods. Pages: 1 – 15. (certified copy) Text Only Entry – Per statute, copies of transcripts are available for inspection in the clerk's office. Parties interested in a copy may contact the court reporter or, in the case of a transcript prepared from a digital–audio taped record, the courtroom deputy for the judicial officer. (dln, ) (Entered: 11/15/2006)

11/14/2006	<u>83</u>	NOTICE of Defendants' Unopposed Application to Respond to Plaintiffs' Third Submission of Supplementary Authority by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Proposed Document Response to Plaintiffs' Third Submission of Supplementary Authority)(Rillo, Christopher) (Entered: 11/14/2006)
11/15/2006	85	Docket Annotation re: <u>83</u> NOTICE of Defendants' Unopposed Application to Respond to Plaintiffs' Third Submission of Supplementary Authority by Defendants. [Document to be refiled by Counsel as a Motion for Leave to file]. Text only entry – no document attached. (dln, ) (Entered: 11/15/2006)
11/15/2006	<u>86</u>	Unopposed MOTION for Leave to <i>File Reply to Plaintiffs' Third Notice of Supplementary Authority</i> by Defendant El Paso Corporation. (Attachments: # <u>1</u> Proposed Document)(Rillo, Christopher) (Entered: 11/15/2006)
11/16/2006	<u>87</u>	Unopposed MOTION for Leave to <i>Respond to Defs. Reply to Notice of Suppl. Auth.</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Document Plaintiffs' Response to Defs. Reply to Notice of Suppl. Auth.)(Bruce, Stephen) (Entered: 11/16/2006)
12/13/2006	<u>88</u>	NOTICE re 10 MOTION to Dismiss MOTION for More Definite Statement MOTION to Strike 1 Complaint MOTION to Strike 1 Complaint <i>supplementary authority</i> by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Exhibit unpublished court decision)(Rillo, Christopher) (Entered: 12/13/2006)
12/15/2006	<u>89</u>	Joint MOTION for Protective Order <i>by All Parties Filed</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 12/15/2006)
12/15/2006	90	MEMORANDUM regarding <u>89</u> Joint MOTION for Protective Order <i>by All Parties Filed</i> filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. (Text Only Entry – No Document Attached)Motions referred to Magistrate Judge Michael E. Hegarty by Judge Walker D. Miller on 12/15/06. (wdmsec, ) (Entered: 12/15/2006)
12/18/2006	91	Docket Annotation re: <u>89</u> Motions terminated: <u>89</u> Joint MOTION for Protective Order by All Parties Filed [Document is a Proposed Protective Order – to be refiled by Counsel with appropriate motion]. Text only entry – no document attached. (dln, ) (Entered: 12/18/2006)
12/18/2006	<u>92</u>	NOTICE of <i>Supplemental Authority (Fourth)</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy (Attachments: # <u>1</u> Engers v. AT <u>2</u> In re Citigroup)(Bruce, Stephen) (Entered: 12/18/2006)
12/20/2006	<u>93</u>	Unopposed MOTION for Leave to <i>Reply to Plaintiffs' Fourth Statement of Supplemental Authority</i> by Defendant El Paso Corporation. (Attachments: # <u>1</u> Proposed Document Defendants' Response to Plaintiff's Fourth Statement of Supplemental Authority)(Rillo, Christopher) (Entered: 12/20/2006)
12/21/2006	<u>94</u>	Joint MOTION for Protective Order <i>Regarding Confidentiality of Certain Documents</i> by Defendants El Paso Corporation, El Paso Pension Plan, Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 12/21/2006)
12/26/2006	95	MEMORANDUM regarding <u>94</u> Joint MOTION for Protective Order Regarding Confidentiality of Certain Documents by Defendants. Motions referred to Magistrate Judge Michael E. Hegarty by Judge Walker D. Miller on 12/26/06. (Text Only Entry – No Document Attached)(dln, ) (Entered: 12/26/2006)
12/26/2006	<u>96</u>	MINUTE ORDER granting <u>94</u> Joint MOTION for Protective Order Regarding Confidentiality of Certain Documents by Defendants by Magistrate Judge Michael E. Hegarty on 12/26/06.(dln, ) (Entered: 12/26/2006)
12/26/2006	<u>97</u>	PROTECTIVE ORDER REGARDING CONFIDENTIALITY OF CERTAIN DOCUMENTS. Signed by Judge Michael E. Hegarty on 12/26/06. (dln, ) (Entered: 12/26/2006)
01/19/2007	<u>98</u>	Joint MOTION to Amend/Correct/Modify <u>78</u> Scheduling Order, by Defendants El Paso Corporation, El Paso Pension Plan, Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF

		Only))(Rillo, Christopher) (Entered: 01/19/2007)
01/19/2007	99	MEMORANDUM regarding <u>98</u> Joint MOTION to Amend/Correct/Modify <u>78</u> Scheduling Order, filed by El Paso Corporation, El Paso Pension Plan, Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. (Text Only Entry – No Document Attached)Motions referred to Magistrate Judge Michael E. Hegarty by Judge Walker D. Miller on 1/19/07. (wdmsec, ) (Entered: 01/19/2007)
01/22/2007	<u>100</u>	MINUTE ORDER granting <u>98</u> Joint MOTION to Amend/Correct/Modify <u>78</u> Scheduling Order. Deadline for Class Certification 2/19/07; deadline for joinder of parties 2/19/07; Pla's expert reports 4/30/07; Dft's expert reports 6/30/07; Rebuttal experts 8/31/07; Expert depositions 9/30/07; Discovery 9/30/07; Dispositive motions 10/31/07. Settlement Conference RESET to 10/11/07 at 1:30 p.m. by Magistrate Judge Michael E. Hegarty on 1/22/07.(dln, ) (Entered: 01/22/2007)
01/22/2007	101	Utility Setting/Resetting Deadlines/Hearings: Discovery due by 9/30/2007. Dispositive Motions due by 10/31/2007. Proposed Pretrial Order due by 12/12/2007. Final Pretrial Conference set for 12/19/2007 09:30 AM before Magistrate Judge Michael E. Hegarty. Settlement Conference set for 10/11/2007 01:30 PM before Magistrate Judge Michael E. Hegarty. [Text only entry – no document attached]. (dln, ) (Entered: 01/22/2007)
02/01/2007	<u>102</u>	NOTICE re 10 MOTION to Dismiss MOTION for More Definite Statement MOTION to Strike 1 Complaint MOTION to Strike 1 Complaint <i>Supplemental Authority</i> by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Exhibit Ex. A# <u>2</u> Exhibit Ex. B)(Rillo, Christopher) (Entered: 02/01/2007)
02/16/2007	<u>103</u>	Joint MOTION to Amend/Correct/Modify <u>100</u> Order on Motion to Amend/Correct/Modify, <i>Scheduling Order</i> by Defendants El Paso Corporation, El Paso Pension Plan, Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 02/16/2007)
02/16/2007	104	MEMORANDUM regarding <u>103</u> Joint MOTION to Amend/Correct/Modify <u>100</u> Order on Motion to Amend/Correct/Modify, <i>Scheduling Order</i> Joint MOTION to Amend/Correct/Modify <u>100</u> Order on Motion to Amend/Correct/Modify, <i>Scheduling Order</i> filed by El Paso Corporation, El Paso Pension Plan, Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. (Text Only Entry – No Document Attached)Motions referred to Magistrate Judge Michael E. Hegarty by Judge Walker D. Miller on 2/16/07. (wdmsec, ) (Entered: 02/16/2007)
02/20/2007	<u>105</u>	MINUTE ORDER granting <u>103</u> Joint MOTION to Amend/Correct/Modify <u>100</u> Order on Motion to Amend/Correct/Modify, <i>Scheduling Order</i> . Motions for Class Certification 3/19/2007; Joinder of Parties 03/19/2007; Pla's Expert Reports 05/30/2007; dft's Expert Reports 7/30/2007; Rebuttal Experts 10/1/2007; Expert Depositions 10/31/2007; Discovery Cut-off 10/31/2007; Dispositive Motions 11/30/2007. Settlement Conference RESET to 11/15/2007 at 1:30 p.m. and Final Pretrial Conference RESET to 01/17/2008 at 9:30 a.m. by Magistrate Judge Michael E. Hegarty on 2/20/07.(dln, ) (Entered: 02/20/2007)
02/20/2007	106	Utility Setting/Resetting Deadlines/Hearings: Discovery due by 10/31/2007. Dispositive Motions due by 11/30/2007. Final Pretrial Conference set for 1/17/2008 09:30 AM before Magistrate Judge Michael E. Hegarty. Settlement Conference set for 11/15/2007 01:30 PM before Magistrate Judge Michael E. Hegarty. [Text only entry – no document attached]. (dln, ) (Entered: 02/20/2007)
03/19/2007	<u>107</u>	MOTION to Certify Class <i>and Approve ADEA Action</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only) with ADEA Notice and Consent Form# <u>2</u> Memorandum in Support# <u>3</u> Exhibit 1# <u>4</u> Exhibit 2# <u>5</u> Exhibit 3# <u>6</u> Exhibit 4# <u>7</u> Exhibit 5# <u>8</u> Exhibit 6# <u>9</u> Exhibit 7# <u>10</u> Exhibit 8# <u>11</u> Exhibit 9# <u>12</u> Exhibit 10)(Bruce, Stephen) (Entered: 03/19/2007)
03/22/2007	<u>108</u>	ORDER: <u>86</u> Unopposed MOTION for Leave to File Reply to Plaintiffs' Third Notice of Supplementary Authority by Defendant is granted. <u>87</u> Unopposed MOTION for Leave to Respond to Defs. Reply to Notice of Suppl. Auth. by Plaintiffs is granted. <u>93</u> Unopposed MOTION for Leave to Reply to Plaintiffs'

		Fourth Statement of Supplemental Authority by Defendant is granted. 10 MOTION to Dismiss claims I and III of the complaint for failure to state a claim upon which relief can be granted; MOTION for More Definite Statement on claim II; MOTION to Strike Jury Demand re: 1 Complaint; to dismiss the complaint for failure to exhaust administrative remedies and to dismiss by Defendants is granted to the extent it seeks dismissal of Plaintiffs Third Claim, and otherwise denied. This case remains pending for trial on Plaintiffs 1st, 2nd, 4th, and 5th claims. Signed by Judge Walker D. Miller on 3/22/07.(dln, ) (Entered: 03/22/2007)
03/27/2007	<u>109</u>	NOTICE of Entry of Appearance by Darren E. Nadel on behalf of El Paso Corporation, El Paso Pension Plan (Nadel, Darren) (Entered: 03/27/2007)
03/27/2007	<u>110</u>	NOTICE of Entry of Appearance by Jill M. Brady on behalf of El Paso Corporation, El Paso Pension Plan (Brady, Jill) (Entered: 03/27/2007)
04/05/2007	<u>111</u>	Unopposed MOTION for Extension of Time to File Response/Reply <i>To Plaintiffs' Complaint</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Brady, Jill) (Entered: 04/05/2007)
04/05/2007	<u>112</u>	Unopposed MOTION for Extension of Time to File Response/Reply <i>1 Class Action COMPLAINT</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Order (PDF Only) Proposed Order)(Brady, Jill) (Modified on 4/6/2007 to add linkage) (dln, ). (Entered: 04/05/2007)
04/06/2007	113	Docket Annotation Motions terminated: <u>111</u> Unopposed MOTION for Extension of Time to File Response/Reply <i>To Plaintiffs' Complaint</i> by Defendants. [Refiled by #112]. Text only entry – no document attached. (dln, ) (Entered: 04/06/2007)
04/06/2007	114	MEMORANDUM regarding <u>112</u> Unopposed MOTION for Extension of Time to File Response/Reply <i>Plaintiffs' Complaint</i> filed by El Paso Corporation, El Paso Pension Plan. (Text Only Entry – No Document Attached)Motions referred to Magistrate Judge Michael E. Hegarty by Judge Walker D. Miller on 4/6/07. (wdmsec, ) (Entered: 04/06/2007)
04/06/2007	<u>115</u>	Minute ORDER granting Defendants' Unopposed <u>112</u> Motion for Extension of Time to File Response to Plaintiffs' Complaint to 4/16/07, by Magistrate Judge Michael E. Hegarty on 4/6/07.(gms, ) (Entered: 04/06/2007)
04/06/2007	116	Utility Setting/Resetting Deadlines/Hearings: El Paso Corporation answer due 4/16/2007; El Paso Pension Plan answer due 4/16/2007, pursuant to minute order of 4/6/07. Text only entry – no document attached. (gms, ) (Entered: 04/06/2007)
04/09/2007	<u>117</u>	Joint MOTION for Extension of Time to File Response/Reply as to <u>105</u> Order on Motion to Amend/Correct/Modify,, <u>107</u> MOTION to Certify Class <i>and Approve ADEA Action And to Amend Scheduling Order</i> by Defendants El Paso Corporation, El Paso Pension Plan, Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only) Proposed Order)(Nadel, Darren) (Entered: 04/09/2007)
04/09/2007	118	MEMORANDUM regarding <u>117</u> Joint MOTION for Extension of Time to File Response/Reply as to <u>105</u> Order on Motion to Amend/Correct/Modify,, <u>107</u> MOTION to Certify Class <i>and Approve ADEA Action And to Amend Scheduling Order</i> Joint MOTION for Extension of Time to File Response/Reply as to <u>105</u> Order on Motion to Amend/Correct/Modify,, <u>107</u> MOTION to Certify Class <i>and Approve ADEA Action And to Amend Scheduling Order</i> filed by El Paso Corporation, El Paso Pension Plan, Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. (Text Only Entry – No Document Attached)Motions referred to Magistrate Judge Michael E. Hegarty. Signed by Judge Walker D. Miller on 4/9/07. (wdmsec, ) (Entered: 04/09/2007)
04/09/2007	<u>119</u>	Amended Joint Motion for extension of time to Respond/Reply to <u>107</u> MOTION to Certify Class and Approve ADEA Action <i>And to Amend Scheduling Order</i> by Defendants El Paso Corporation, El Paso Pension Plan, Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only) Proposed Order)(Nadel, Darren) (Modified on 4/10/2007 to correct linkage and duplicate text) (dln, ). (Entered: 04/09/2007)

04/10/2007	<u>120</u>	MINUTE ORDER denying as moot <u>117</u> Joint MOTION for Extension of Time to File Response/Reply as to <u>105</u> Order on Motion to Amend/Correct/Modify,, <u>107</u> MOTION to Certify Class and Approve ADEA Action And to Amend Scheduling Order by Defendants by Magistrate Judge Michael E. Hegarty on 4/10/07.(dln, ) (Entered: 04/10/2007)
04/10/2007	121	Docket Annotation re: <u>119</u> Amended Joint Motion for extension of time to Respond/Reply to <u>107</u> MOTION to Certify Class and Approve ADEA Action And to Amend Scheduling Order. [Entry modified to correct linkage and remove duplicate text]. Text only entry – no document attached. (dln, ) (Entered: 04/10/2007)
04/10/2007	122	MEMORANDUM regarding <u>119</u> MOTION for Extension of Time to File Response/Reply filed by El Paso Corporation, El Paso Pension Plan, Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. (Text Only Entry – No Document Attached)Motions referred to Magistrate Judge Michael E. Hegarty by Judge Walker D. Miller on 4/10/07. (wdmsec, ) (Entered: 04/10/2007)
04/10/2007	123	Docket Annotation: Motion(s) No Longer Referred: <u>119</u> Amended Joint Motion for extension of time to Respond/Reply to <u>107</u> MOTION to Certify Class and Approve ADEA Action And to Amend Scheduling Order by Defendants. [Only the portion relating to the Scheduling Order is referred to Magistrate Judge Hegarty for ruling]. Text only entry – no document attached. (dln, ) (Entered: 04/10/2007)
04/13/2007	<u>124</u>	MINUTE ORDER granting to 05/09/2007 <u>119</u> Amended Joint Motion for extension of time to Respond/Reply to <u>107</u> MOTION to Certify Class and Approve ADEA Action And to Amend Scheduling Order by Defendants. Plaintiff's expert reports by 06/29/2007; Defendants' expert reports by 08/29/2007 by Magistrate Judge Michael E. Hegarty on 4/13/07.(dln, ) (Entered: 04/13/2007)
04/16/2007	<u>125</u>	<i>Defendants'</i> ANSWER to Complaint by El Paso Corporation, El Paso Pension Plan.(Rillo, Christopher) (Entered: 04/16/2007)
05/09/2007	<u>126</u>	BRIEF in Opposition re <u>107</u> MOTION to Certify Class <i>and Approve ADEA Action</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 05/09/2007)
05/09/2007	<u>127</u>	NOTICE re <u>126</u> Brief in Opposition to Motion <i>For Class Certification and Conditional Approval of ADEA Collective Action</i> by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Exhibit amara# <u>2</u> Exhibit Britton# <u>3</u> Exhibit Post# <u>4</u> # <u>5</u> Exhibit Thiebes)(Nadel, Darren) (Entered: 05/09/2007)
05/09/2007	<u>128</u>	MOTION for Judgment <i>On the Pleadings Pursuant to Federal Rule of Civil Procedure 12(C)</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit Exhibit A# <u>2</u> Exhibit Exhibit B# <u>3</u> Exhibit Exhibit C, Part 1# <u>4</u> Exhibit Exhibit C, Part 2# <u>5</u> Exhibit Exhibit C, Part 3)(Nadel, Darren) (Entered: 05/09/2007)
05/09/2007	<u>129</u>	NOTICE re <u>128</u> MOTION for Judgment <i>On the Pleadings Pursuant to Federal Rule of Civil Procedure 12(C)</i> MOTION for Judgment <i>On the Pleadings Pursuant to Federal Rule of Civil Procedure 12(C)</i> by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Exhibit Richards# <u>2</u> Exhibit Richards)(Nadel, Darren) (Entered: 05/09/2007)
05/29/2007	<u>130</u>	MOTION for Leave to <i>File the Declaration of Kevin Minor in Support of Defs' Opposition to Ptlfs' Motion for Class Certification and Conditional Approval of ADEA Collective Action</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit 1, Declaration of Minor# <u>2</u> Exhibit A to Declaration# <u>3</u> Exhibit B to Declaration# <u>4</u> Exhibit C to Declaration# <u>5</u> Exhibit D to Declaration# <u>6</u> Exhibit E to Declaration# <u>7</u> Exhibit F to Declaration)(Brady, Jill) (Entered: 05/29/2007)
05/29/2007	<u>131</u>	REPLY to Response to Motion re <u>107</u> MOTION to Certify Class <i>and Approve ADEA Action</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 11# <u>2</u> Exhibit 12# <u>3</u> Exhibit 13# <u>4</u> Proposed Order (PDF Only) w/ ADEA Notice and Consent to Join Form)(Bruce, Stephen) (Entered: 05/29/2007)

06/01/2007	<u>132</u>	BRIEF in Opposition re <u>128</u> MOTION for Judgment <i>On the Pleadings Pursuant to Federal Rule of Civil Procedure 12(C)</i> MOTION for Judgment <i>On the Pleadings Pursuant to Federal Rule of Civil Procedure 12(C)</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Exhibit 6)(Bruce, Stephen) (Modified on 6/8/2007 to indicate STRICKEN pursuant to minute order) (dln, ). (Entered: 06/01/2007)
06/08/2007	<u>133</u>	MINUTE ORDER: STRIKING <u>132</u> BRIEF in Opposition re <u>128</u> MOTION for Judgment <i>On the Pleadings Pursuant to Federal Rule of Civil Procedure 12(C)</i> MOTION for Judgment <i>On the Pleadings Pursuant to Federal Rule of Civil Procedure 12(C)</i> filed by Plaintiffs by Judge Walker D. Miller on 6/8/07. (dln, ) (Entered: 06/08/2007)
06/15/2007	<u>134</u>	BRIEF in Opposition re <u>128</u> MOTION for Judgment <i>On the Pleadings Pursuant to Federal Rule of Civil Procedure 12(C)</i> MOTION for Judgment <i>On the Pleadings Pursuant to Federal Rule of Civil Procedure 12(C)</i> (Revised Per 6/8/2007 Minute Order) filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Exhibit 6)(Bruce, Stephen) (Entered: 06/15/2007)
06/21/2007	<u>135</u>	BRIEF in Opposition re <u>130</u> MOTION for Leave to <i>File the Declaration of Kevin Minor in Support of Defs' Opposition to Pltfs' Motion for Class Certification and Conditional Approval of ADEA Collective Action</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 14# <u>2</u> Exhibit 15# <u>3</u> Exhibit 16# <u>4</u> Exhibit 17# <u>5</u> Exhibit 18)(Bruce, Stephen) (Entered: 06/21/2007)
06/28/2007	<u>136</u>	MOTION For Extension of Time to <i>File Expert Reports</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 06/28/2007)
06/28/2007	<u>137</u>	MEMORANDUM regarding <u>136</u> MOTION For Extension of Time to <i>File Expert Reports</i> filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. (Text Only Entry – No Document Attached)Motions referred to Magistrate Judge Michael E. Hegarty by Judge Walker D. Miller on 6/28/07. (wdmsec, ) (Entered: 06/28/2007)
06/29/2007	<u>138</u>	RESPONSE to Motion re <u>136</u> MOTION For Extension of Time to <i>File Expert Reports</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 06/29/2007)
07/02/2007	<u>139</u>	MINUTE ORDER denying without prejudice <u>136</u> MOTION For Extension of Time to <i>File Expert Reports</i> by Plaintiffs by Magistrate Judge Michael E. Hegarty on 6/29/07.(dln, ) (Entered: 07/02/2007)
07/02/2007	<u>140</u>	REPLY to Response to Motion re <u>128</u> MOTION for Judgment <i>On the Pleadings Pursuant to Federal Rule of Civil Procedure 12(C)</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit Part 1 to A# <u>2</u> Exhibit Part 2 to A# <u>3</u> Exhibit Part 3 to A# <u>4</u> Exhibit Part 4 to A# <u>5</u> Exhibit Part 5 to A# <u>6</u> Exhibit Part 6 to A)(Nadel, Darren) (Modified on 7/3/2007 to remove duplicate text) (dln, ). (Entered: 07/02/2007)
07/03/2007	<u>141</u>	MOTION to Strike <u>131</u> Reply to Response to Motion, <i>In Support of Motion for Class Certification and Conditional Approval of ADEA Collective Action, or in the Alternative, Motion for Leave to File Surreply in Response to Plaintiffs' Reply</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 07/03/2007)
07/06/2007	<u>142</u>	REPLY to Response to Motion re <u>130</u> MOTION for Leave to <i>File the Declaration of Kevin Minor in Support of Defs' Opposition to Pltfs' Motion for Class Certification and Conditional Approval of ADEA Collective Action</i> , <u>107</u> MOTION to Certify Class and Approve ADEA Action filed by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 07/06/2007)
07/16/2007	<u>143</u>	Unopposed MOTION For Extension of Time to <i>File Expert Reports</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 07/16/2007)

07/18/2007	144	MEMORANDUM regarding <u>143</u> Unopposed MOTION For Extension of Time to <i>File Expert Reports</i> filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. (Text Only Entry – No Document Attached)Motions referred to Magistrate Judge Michael E. Hegarty by Judge Walker D. Miller on 7/18/07. (wdmsec, ) (Entered: 07/18/2007)
07/20/2007	<u>145</u>	MINUTE ORDER: re: <u>143</u> Unopposed MOTION to Amend Scheduling Order to Extend Time to File Expert Reports. Counsel of record are instructed to appear before this Court IN PERSON for Hearing set for 7/31/2007 09:00 AM in Courtroom C203 before Magistrate Judge Michael E. Hegarty by Judge Michael E. Hegarty on 7/20/07. (dln, ) (Entered: 07/20/2007)
07/24/2007	<u>146</u>	MOTION to Compel <i>Production</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Memorandum in Support# <u>2</u> Exhibit 1# <u>3</u> Exhibit 2# <u>4</u> Exhibit 3# <u>5</u> Exhibit 4# <u>6</u> Exhibit 5# <u>7</u> Exhibit 6# <u>8</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 07/24/2007)
07/24/2007	147	MEMORANDUM regarding <u>146</u> MOTION to Compel <i>Production</i> filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. (Text Only Entry – No Document Attached)Motions referred to Magistrate Judge Michael E. Hegarty by Judge Walker D. Miller on 7/24/07. (wdmsec, ) (Entered: 07/24/2007)
07/26/2007	<u>148</u>	BRIEF in Opposition re <u>141</u> MOTION to Strike <u>131</u> Reply to Response to Motion, <i>In Support of Motion for Class Certification and Conditional Approval of ADEA Collective Action, or in the Alternative, Motion for Leave to File Surreply in Response to Plaintiffs' Reply</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Modified on 7/27/2007 to remove duplicate text) (dln, ). (Entered: 07/26/2007)
07/27/2007	149	Docket Annotation re: <u>148</u> BRIEF in Opposition re <u>141</u> MOTION to Strike <u>131</u> Reply to Response to Motion, In Support of Motion for Class Certification and Conditional Approval of ADEA Collective Action, or in the Alternative, Motion for Leave to File Surreply in Response to Plaintiffs' Reply filed by Plaintiffs. [Entry modified to remove duplicate text]. Text only entry – no document attached. (dln, ) (Entered: 07/27/2007)
07/30/2007	<u>150</u>	MINUTE ORDER setting Motion Hearing for 8/9/2007 09:15 AM in Courtroom C203 before Magistrate Judge Michael E. Hegarty by Magistrate Judge Michael E. Hegarty on 07/30/07. (jjh, ) (Entered: 07/30/2007)
08/08/2007	<u>151</u>	RESPONSE to Motion re <u>146</u> MOTION to Compel <i>Production</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit # <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F)(Nadel, Darren) (Entered: 08/08/2007)
08/09/2007	<u>152</u>	Minute Entry for proceedings held before Judge Michael E. Hegarty : Motion Hearing held on 8/9/2007. Taking under advisement <u>143</u> Unopposed MOTION For Extension of Time to File Expert Reports by Plaintiffs. Plaintiffs reply to dft's oral argument on Plaintiff's motion to complet due by 08/20/2007 (Court Reporter FTR – Valeri Barnes.) (dln, ) (Entered: 08/09/2007)
08/10/2007	<u>153</u>	REPLY to Response to Motion re <u>141</u> MOTION to Strike <u>131</u> Reply to Response to Motion, <i>In Support of Motion for Class Certification and Conditional Approval of ADEA Collective Action, or in the Alternative, Motion for Leave to File Surreply in Response to Plaintiffs' Reply</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Modified on 8/13/2007 to remove duplicate text) (dln, ). (Entered: 08/10/2007)
08/13/2007	154	Docket Annotation re: <u>153</u> REPLY to Response to Motion re <u>141</u> MOTION to Strike <u>131</u> Reply to Response to Motion, In Support of Motion for Class Certification and Conditional Approval of ADEA Collective Action, or in the Alternative, Motion for Leave to File Surreply in Response to Plaintiffs' Reply filed by Defendants. [Entry modified to remove duplicate text]. Text only entry – no document attached. (dln, ) (Entered: 08/13/2007)
08/14/2007	<u>155</u>	Unopposed MOTION For Extension of Time to <i>Object to Subpoena and Related Motion to Quash</i> by Interested Party Mercer Human Resource Consulting, Inc.. (Attachments: # <u>1</u> Exhibit # <u>2</u> Proposed Order (PDF Only))(Burke, Thomas)

		(Entered: 08/14/2007)
08/14/2007	156	MEMORANDUM regarding <u>155</u> Unopposed MOTION For Extension of Time to <i>Object to Subpoena and Related Motion to Quash</i> filed by Mercer Human Resource Consulting, Inc.. (Text Only Entry – No Document Attached) Motions referred to Magistrate Judge Michael E. Hegarty by Judge Walker D. Miller on 8/14/07. (wdmsec, ) (Entered: 08/14/2007)
08/15/2007	<u>157</u>	ORDER denying Unopposed <u>155</u> Motion for Extension of Time to Object to Subpoena and Related Motion to Quash without prejudice. Signed by Magistrate Judge Michael E. Hegarty on 8/15/07.(gms, ) (Entered: 08/15/2007)
08/20/2007	<u>158</u>	REPLY to Response to Motion re <u>146</u> MOTION to Compel <i>Production</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 7# <u>2</u> Exhibit 8# <u>3</u> Exhibit 9# <u>4</u> Exhibit 10)(Bruce, Stephen) (Entered: 08/20/2007)
08/23/2007	<u>159</u>	MINUTE ORDER: re: <u>158</u> REPLY to Response to Motion re <u>146</u> MOTION to Compel Production filed by Plaintiff. Defendants to provide supplemental briefing, not to exceed five pages by 08/30/2007 by Magistrate Judge Michael E. Hegarty on 8/23/07. (dln, ) (Entered: 08/23/2007)
08/30/2007	<u>160</u>	SURREPLY re <u>146</u> MOTION to Compel <i>Production</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Rillo, Christopher) (Entered: 08/30/2007)
08/31/2007	<u>161</u>	ORDER Plaintiffs' <u>146</u> Motion to Compel Production is GRANTED. Defendants must provide the information and/or documents by 9/30/07. The Unopposed Renewed <u>143</u> Motion to Amend Scheduling Order to Extend Time is GRANTED IN PART and DENIED IN PART, Discovery cutoff 1/31/08, Dispositive motion deadline 3/3/08. Final Pretrial Conference RESET to 4/16/08 at 9:30 AM, Proposed Pretrial Order due no later than 4/9/08. Signed by Magistrate Judge Michael E. Hegarty on 8/31/07.(mrs, ) (Entered: 08/31/2007)
08/31/2007	162	Utility Setting/Resetting Deadlines/Hearings: Discovery due by 1/31/2008, Dispositive Motions due by 3/3/2008, Proposed Pretrial Order due by 4/9/2008, Final Pretrial Conference set for 4/16/2008 09:30 AM before Magistrate Judge Michael E. Hegarty pursuant to Order dated 8/31/07. Text only entry – no document attached. (mrs, ) (Entered: 08/31/2007)
09/03/2007	<u>163</u>	NOTICE of Change of Address by Barry Douglas Roseman (Roseman, Barry) (Entered: 09/03/2007)
09/07/2007	<u>164</u>	NOTICE re <u>128</u> MOTION for Judgment <i>On the Pleadings Pursuant to Federal Rule of Civil Procedure 12(C)</i> MOTION for Judgment <i>On the Pleadings Pursuant to Federal Rule of Civil Procedure 12(C) of Supplemental Authority</i> by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Exhibit Wheeler v. Boeing)(Rillo, Christopher) (Entered: 09/07/2007)
09/10/2007	<u>165</u>	ORDER of Recusal. Clerk is directed to reassign this matter by random draw to another Magistrate Judge. Signed by Magistrate Judge Michael E. Hegarty on 9/10/2007. (llr, ) (Entered: 09/10/2007)
09/10/2007	<u>166</u>	LETTER REASSIGNING CASE per Order of Recusal 9/10/2007. Case reassigned to Judge Craig B Shaffer for all further proceedings. Judge Michael E. Hegarty is no longer assigned to case. (llr, ) (Entered: 09/10/2007)
09/11/2007	<u>167</u>	RESPONSE to <u>164</u> Notice (Other), Notice (Other) of <i>Supplemental Authority re 128 Motion for Judgment on Pleadings</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 09/11/2007)
09/11/2007	<u>168</u>	MINUTE ORDER: Settlement Conference set for 11/15/2007 03:30 PM in Courtroom A 402 before Magistrate Judge Craig B Shaffer., Final Pretrial Conference set for 4/16/2008 09:30 AM before Magistrate Judge Craig B Shaffer by Magistrate Judge Craig B Shaffer on 9/11/07. (dln, ) (Entered: 09/11/2007)
09/14/2007	<u>169</u>	TRANSCRIPT of Motions Hearing held on 8–9–07 before Magistrate Judge Hegarty. Pages: 1–20. Per statute, copies of transcripts are available for inspection in the clerk's office. Parties interested in a copy may contact the court reporter or,

		in the case of a transcript prepared from a digital–audio taped record, the courtroom deputy for the judicial officer. (Avery Woods Reporting, ) (Entered: 09/14/2007)
10/30/2007	<u>170</u>	MOTION for Sanctions <i>for Non–Compliance with Magistrate Judge Hegarty's August 31, 2007 Order</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 10/30/2007)
10/31/2007	171	MEMORANDUM regarding <u>170</u> MOTION for Sanctions <i>for Non–Compliance with Magistrate Judge Hegarty's August 31, 2007 Order</i> filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. (Text Only Entry – No Document Attached)Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 10/31/07. (wdmsec, ) (Entered: 10/31/2007)
11/02/2007	<u>172</u>	MINUTE ORDER re: <u>170</u> MOTION for Sanctions for Non–Compliance with Magistrate Judge Hegarty's August 31, 2007 Order by Plaintiffs. Defendants' response due by 11/12/07 by Magistrate Judge Craig B Shaffer on 11/2/07. (dln, ) (Entered: 11/02/2007)
11/07/2007	<u>173</u>	Unopposed MOTION for Leave to <i>Allow Insurance Representatives to Attend Settlement Conference by Telephone</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Rillo, Christopher) (Entered: 11/07/2007)
11/08/2007	174	MEMORANDUM regarding <u>173</u> Unopposed MOTION for Leave to <i>Allow Insurance Representatives to Attend Settlement Conference by Telephone</i> filed by El Paso Corporation, El Paso Pension Plan. (Text Only Entry – No Document Attached)Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 11/8/07. (wdmsec, ) (Entered: 11/08/2007)
11/09/2007	<u>175</u>	Minute ORDER granting <u>173</u> Unopposed MOTION for Leave to Allow Insurance Representatives to Attend Settlement Conference by Telephone by Defendants by Magistrate Judge Craig B Shaffer on 11/9/07.(dln, ) (Entered: 11/09/2007)
11/12/2007	<u>176</u>	BRIEF in Opposition re <u>170</u> MOTION for Sanctions <i>for Non–Compliance with Magistrate Judge Hegarty's August 31, 2007 Order</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Declaration of De'Anne H. Hite, # <u>2</u> Declaration of Todd Flessner, # <u>3</u> Declaration of Christopher J. Rillo, # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Exhibit E, # <u>9</u> Exhibit F, # <u>10</u> Exhibit G, # <u>11</u> Exhibit H, # <u>12</u> Exhibit I, # <u>13</u> Exhibit J, # <u>14</u> Exhibit K, # <u>15</u> Exhibit L, # <u>16</u> Exhibit M, # <u>17</u> Exhibit N, # <u>18</u> Exhibit O)(Rillo, Christopher) (Entered: 11/12/2007)
11/15/2007	<u>177</u>	Minute Entry for proceedings held before Magistrate Judge Craig B Shaffer: Settlement Conference held on 11/15/2007. (Court Reporter No Record Made.) (dln, ) (Entered: 11/16/2007)
11/26/2007	<u>178</u>	MINUTE ORDER: Telephonic Status Conference set for 11/30/2007 10:00 AM before Magistrate Judge Craig B Shaffer by Magistrate Judge Craig B Shaffer on 11/26/07. (dln, ) (Entered: 11/26/2007)
11/26/2007	<u>179</u>	NOTICE re <u>170</u> MOTION for Sanctions <i>for Non–Compliance with Magistrate Judge Hegarty's August 31, 2007 Order</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy (Bruce, Stephen) (Entered: 11/26/2007)
11/30/2007	<u>180</u>	Minute Entry for proceedings held before Magistrate Judge Craig B Shaffer: withdrawing <u>170</u> Motion for Sanctions; Telephonic Status Conference held on 11/30/2007. (Court Reporter FTR Valeri Barnes.) (erv, ) (Entered: 11/30/2007)
12/13/2007	<u>181</u>	MINUTE ORDER that a Telephonic Status Conference is set for 12/17/2007 08:30 AM before Magistrate Judge Craig B Shaffer, by Magistrate Judge Craig B Shaffer on 12/13/07. (lam, ) (Entered: 12/13/2007)
12/17/2007	<u>182</u>	Unopposed MOTION to Withdraw as Attorney by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Order (PDF Only)

		Proposed Order)(Nadel, Darren) (Entered: 12/17/2007)
12/17/2007	<u>183</u>	Minute Entry for proceedings held before Magistrate Judge Craig B Shaffer: Telephonic Status Conference held on 12/17/2007. Status Report due by 1/3/2008. (Court Reporter FTR – Valerie Barnes.) (sss, ) (Entered: 12/17/2007)
12/17/2007	184	MEMORANDUM regarding <u>182</u> Unopposed MOTION to Withdraw as Attorney by Defendants. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 12/17/07. (Text Only Entry – No Document Attached)(dln, ) (Entered: 12/17/2007)
12/17/2007	185	MEMORANDUM regarding <u>182</u> Unopposed MOTION to Withdraw as Attorney filed by El Paso Corporation, El Paso Pension Plan. (Text Only Entry – No Document Attached)Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 12/17/07. (wdmsec, ) (Entered: 12/17/2007)
12/17/2007	<u>186</u>	MINUTE ORDER granting Unopposed <u>182</u> Motion to Withdraw as Counsel of Record. Attorney Jill M. Brady terminated, by Magistrate Judge Craig B Shaffer on 12/17/07.(sss, ) (Entered: 12/18/2007)
01/03/2008	<u>187</u>	Joint MOTION For Extension of Time to <i>File Joint Report</i> by Defendants El Paso Corporation, El Paso Pension Plan, Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Nadel, Darren) (Entered: 01/03/2008)
01/04/2008	188	MEMORANDUM regarding <u>187</u> Joint MOTION For Extension of Time to File Joint Report. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 1/4/08. (Text Only Entry – No Document Attached)(dln, ) (Entered: 01/04/2008)
01/04/2008	<u>189</u>	NOTICE of Entry of Appearance by Joshua B. Kirkpatrick on behalf of El Paso Corporation, El Paso Pension Plan (Kirkpatrick, Joshua) (Entered: 01/04/2008)
01/04/2008	<u>190</u>	NOTICE of Entry of Appearance by Melissa A. Monheim on behalf of El Paso Corporation, El Paso Pension Plan (Monheim, Melissa) (Entered: 01/04/2008)
01/04/2008	<u>191</u>	MINUTE ORDER granting the Joint <u>187</u> Motion for Extension of Time to File Joint Report. The deadline is extended to 1/4/08, by Magistrate Judge Craig B Shaffer on 1/4/08.(mrs, ) (Entered: 01/04/2008)
01/04/2008	<u>192</u>	STATUS REPORT by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Kirkpatrick, Joshua) (Entered: 01/04/2008)
01/10/2008	193	MINUTE ORDER Setting Hearing: Upon review of the status reports submitted by counsel, it is ORDERED that a Telephonic Status Conference is set for 1/17/2008 at 3:30 p.m. before Magistrate Judge Craig B Shaffer. Counsel shall create a conference call, then contact the Court at (303) 844–2117 to participate in the hearing, by Magistrate Judge Craig B Shaffer on 1/10/08. (Text Only Entry – no document attached) (cbssec) (Entered: 01/10/2008)
01/11/2008	194	MINUTE ORDER Reseting Hearings: Per the unopposed telephonic request made by counsel, this will confirm that the Telephonic Status Conference is reset to 1/23/2008 at 10:00 a.m. before Magistrate Judge Craig B. Shaffer. Counsel shall create a conference call, then contact the Court at (303) 844–2117 to participate in the hearing. By Magistrate Judge Shaffer on 1/11/08. (Text only entry – no document attached)(cbssec) (Entered: 01/11/2008)
01/23/2008	<u>195</u>	Courtroom Minutes/Minute Order for proceedings held before Magistrate Judge Craig B Shaffer: Telephonic Status Conference held on 1/23/2008: Status/Scheduling Conference set for 1/31/2008 at 1:30 p.m. in Courtroom A 402 before Magistrate Judge Craig B Shaffer. (Court Reporter FTR – Ben Van Dyke) (cbscd) (Entered: 01/23/2008)
01/28/2008	<u>196</u>	Proposed Scheduling Order ( <i>Joint Case Report</i> ) by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Roseman, Barry) (Entered: 01/28/2008)
01/28/2008	<u>197</u>	Proposed Scheduling Order ( <i>Amended</i> ) by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Roseman, Barry) (Entered: 01/28/2008)

01/29/2008	<u>198</u>	Courtroom Minutes/Minute Order for proceedings held before Magistrate Judge Craig B Shaffer. Telephonic Discovery Conference held on 1/29/2008: The defendants may file a motion to compel regarding the deposition of Wayne Tomlinson. (Court Reporter FTR – Ben Van Dyke) (cbscd) (Entered: 01/29/2008)
01/31/2008	<u>199</u>	Courtroom Minutes/Minute Order for proceedings held before Magistrate Judge Craig B Shaffer. Status/Scheduling Conference held on 1/31/2008: Discovery due by 6/16/2008; Dispositive Motions due by 7/14/2008; Final Pretrial Conference reset for 10/30/2008 at 9:15 a.m. in Courtroom A 402 before Magistrate Judge Craig B Shaffer. (Court Reporter FTR – Ben Van Dyke) (cbscd) (Entered: 01/31/2008)
01/31/2008	<u>200</u>	AMENDED SCHEDULING ORDER: Discovery due by 6/16/2008. Dispositive Motions due by 7/14/2008. Final Pretrial Conference set for 10/30/2008 09:15 AM before Magistrate Judge Craig B Shaffer. Signed by Magistrate Judge Craig B Shaffer on 01/31/2008. (sah2, ) (Entered: 02/01/2008)
02/06/2008	<u>201</u>	MOTION for Leave to <i>Withdraw as Counsel</i> by Interested Party Mercer Human Resource Consulting, Inc.. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Burke, Thomas) (Entered: 02/06/2008)
02/06/2008	202	MEMORANDUM regarding <u>201</u> MOTION for Leave to <i>Withdraw as Counsel</i> filed by Mercer Human Resource Consulting, Inc.. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 2/6/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 02/06/2008)
02/07/2008	<u>203</u>	Minute ORDER granting <u>201</u> Motion for Leave to Withdraw Thomas J. Burke as counsel for Mercer Human Resources Consulting, Inc., by Magistrate Judge Craig B Shaffer on 02/07/2008.(sah2, ) (Entered: 02/07/2008)
02/12/2008	<u>204</u>	NOTICE re <u>107</u> MOTION to Certify Class and Approve ADEA Action of Supplemental Authority by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy (Bruce, Stephen) (Entered: 02/12/2008)
02/12/2008	<u>205</u>	NOTICE re <u>134</u> Brief in Opposition to Motion, of Supplemental Authority by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy (Bruce, Stephen) (Entered: 02/12/2008)
02/27/2008	<u>206</u>	NOTICE re <u>128</u> MOTION for Judgment <i>On the Pleadings Pursuant to Federal Rule of Civil Procedure 12(C)</i> by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Rillo, Christopher) Modified on 2/29/2008 to remove system-generated duplicate text (sss, ). (Entered: 02/27/2008)
02/29/2008	207	Docket Annotation re: <u>206</u> Notice (Other). Docket entry modified to remove system-generated duplicate text. Text only entry – no document attached (sss, ) (Entered: 02/29/2008)
03/04/2008	<u>208</u>	MOTION to Compel Responses to Deposition Questions and For Sanctions by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Nadel, Darren) Modified on 5/2/2008 Modified as WITHDRAWN pursuant to Minute Order dated 4/28/2008 (sah, ). (Entered: 03/04/2008)
03/04/2008	209	MEMORANDUM regarding <u>208</u> MOTION to Compel Responses to Deposition Questions and For Sanctions filed by El Paso Corporation, El Paso Pension Plan. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 3/4/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 03/04/2008)
03/06/2008	<u>210</u>	MINUTE ORDER, A Motion Hearing set for 4/16/2008 01:30 PM in Courtroom A 402 in re: <u>208</u> to Defendants Motion to Compel Responses to Deposition Questions and For Sanctions by Magistrate Judge Craig B Shaffer on 03/06/2008. (sah, ) (Entered: 03/06/2008)
03/12/2008	<u>211</u>	Courtroom Minutes/Minute Order for proceedings held before Magistrate Judge Craig B Shaffer. Telephonic Discovery Conference held on 3/12/2008: Plaintiffs' counsel shall either amend their general objection of produce a privilege log by

		3/17/2008. Signed verifications of interrogatory responses shall be provided by 3/17/2008. (Court Reporter FTR – Ben Van Dyke) (cbscd) (Entered: 03/12/2008)
03/14/2008	<u>212</u>	RESPONSE to <u>205</u> Notice (Other), <u>204</u> Notice (Other) ( <i>Defendants' Response to Plaintiffs' Statement of Supplemental Authority Related to Motion for Class Certification and Approval of ADEA Collective Action</i> ) by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Nadel, Darren) (Entered: 03/14/2008)
03/19/2008	<u>213</u>	ORDER granting in part and denying in part <u>128</u> Motion for Judgment on the Pleadings, Plaintiffs' Claims II and IV are dismissed for failure to state a claim, Plaintiffs' Claim I and V remain pending; granting in part and denying in part <u>107</u> Plaintiffs Motion to Certify Class and Conditional Approval of ADEA Collective Action, Plaintiffs are entitled to conditional approval of their ADEA collective action, Defendants shall file a limited motion for summary judgment, Plaintiffs may file a response brief on or before 4/28/2008, No reply brief shall be filed. Plaintiffs' motion for class certification (Claim V) is DENIED without PREJUDICE; Plaintiffs shall file a notice amending their class definition on or before 3/31/2008; denying as moot <u>130</u> Defendants' motion to File the Declaration of Kevin Minor; granting in part and denying in part <u>141</u> Defendants Motion to Strike New Arguments Raised in Plaintiffs Reply. The motion is denied to the extent it seeks to preclude Plaintiff's proposed amended class definition. The motion is granted to the extent it seeks to preclude recovery by Plaintiffs. Signed by Judge Walker D. Miller on 03/19/2008.(sah2, ) (Entered: 03/19/2008)
03/24/2008	<u>214</u>	Renewed MOTION for Sanctions <i>for Non-Compliance with August 31, 2007 Order</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16, # <u>18</u> Exhibit 17, # <u>19</u> Exhibit 18, # <u>20</u> Proposed Order (PDF Only))(Bruce, Stephen) Modified on 5/2/2008 to WITHDRAW pursuant to Minute Order dated 4/28/2008(sah, ). (Entered: 03/24/2008)
03/25/2008	215	MEMORANDUM regarding <u>214</u> Renewed MOTION for Sanctions <i>for Non-Compliance with August 31, 2007 Order</i> filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 3/25/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 03/25/2008)
03/27/2008	<u>216</u>	BRIEF in Opposition re <u>208</u> MOTION to Compel <i>Responses to Deposition Questions and For Sanctions</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8)(Bruce, Stephen) (Entered: 03/27/2008)
03/28/2008	<u>217</u>	NOTICE of Amendment of <i>Collective Action Definition in Compliance with Order (Dkt. #213)</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy (Bruce, Stephen) (Entered: 03/28/2008)
04/02/2008	<u>218</u>	MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 04/02/2008)
04/11/2008	<u>219</u>	REPLY to Response to Motion re <u>208</u> MOTION to Compel <i>Responses to Deposition Questions and For Sanctions (In Support of)</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 04/11/2008)
04/14/2008	<u>220</u>	MOTION for Partial Summary Judgment ( <i>On ADEA Claim for Failure to File a Timely Charge of Discrimination</i> ) by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 04/14/2008)

04/14/2008	<u>221</u>	BRIEF in Support re <u>220</u> MOTION for Partial Summary Judgment ( <i>On ADEA Claim for Failure to File a Timely Charge of Discrimination</i> ) filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15)(Nadel, Darren) (Entered: 04/14/2008)
04/14/2008	<u>222</u>	RESPONSE to Motion re <u>214</u> Renewed MOTION for Sanctions for <i>Non-Compliance with August 31, 2007 Order</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit Declaration of Todd Flessner, # <u>2</u> Exhibit Declaration of Darren Nadel, # <u>3</u> Exhibit Declaration of Christopher Rillo, # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Exhibit E, # <u>9</u> Exhibit F, # <u>10</u> Exhibit G, # <u>11</u> Exhibit H, # <u>12</u> Exhibit I, # <u>13</u> Exhibit J, # <u>14</u> Exhibit K, # <u>15</u> Exhibit L, # <u>16</u> Exhibit M, # <u>17</u> Exhibit N, # <u>18</u> Exhibit O, # <u>19</u> Exhibit P, # <u>20</u> Exhibit Q, # <u>21</u> Exhibit R, # <u>22</u> Exhibit S, # <u>23</u> Exhibit T)(Rillo, Christopher) (Entered: 04/14/2008)
04/16/2008	<u>223</u>	Courtroom Minutes/Minute Order for proceedings held before Magistrate Judge Craig B Shaffer. Motion Hearing held on 4/16/2008: Counsel discuss their discovery agreements and remaining discovery issues with the court. (Court Reporter FTR – Ben Van Dyke) (cbscd) (Entered: 04/17/2008)
04/17/2008	<u>224</u>	Courtroom Minutes/Minute Order for proceedings held before Magistrate Judge Craig B Shaffer. Discovery Conference held on 4/17/2008: The parties shall submit a joint proposal to the court outlining the discovery that they believe should go forward during the pendency of the outstanding dispositive motions, and the discovery they want to do following rulings on the pending dispositive motions by 4/22/2007. (Court Reporter FTR – Ben Van Dyke) (cbscd) (Entered: 04/17/2008)
04/17/2008	<u>225</u>	AMENDED Minute Entry for proceedings held before Magistrate Judge Craig B Shaffer: Amended re <u>224</u> Discovery Hearing. The parties shall submit a joint proposal to the court outlining the discovery that they believe should go forward during the pendency of the outstanding dispositive motions, and the discovery they want to do following rulings on the pending dispositive motions by April 22, 2008. (Court Reporter FTR–Ben Van Dyke.) (sah, ) (Entered: 04/21/2008)
04/22/2008	<u>226</u>	BRIEF in Opposition re <u>218</u> MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Nadel, Darren) (Entered: 04/22/2008)
04/22/2008	<u>227</u>	Proposed Scheduling Order ( <i>Joint Proposal on Bifurcating Discovery</i> ) by Defendants El Paso Corporation, El Paso Pension Plan, Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 04/22/2008)
04/28/2008	<u>228</u>	MINUTE ORDER IT IS ORDERED that the court will adopt the proposed deadlines to oversee discovery during the pendency of and following the rulings on the pending dispositive motions. Withdrawing Without Prejudice <u>208</u> Pla's Renewed Motion to Compel; Withdrawing Without Prejudice <u>214</u> Motion for Sanctions, by Magistrate Judge Craig B Shaffer on 4/28/08.(erv, ) (Entered: 04/28/2008)
04/28/2008	<u>229</u>	BRIEF in Opposition re <u>220</u> MOTION for Partial Summary Judgment ( <i>On ADEA Claim for Failure to File a Timely Charge of Discrimination</i> ) filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Bruce, Stephen) (Entered: 04/28/2008)
05/02/2008	230	Docket Annotation re: <u>214</u> Renewed MOTION for Sanctions for <i>Non-Compliance with August 31, 2007 Order</i> , <u>208</u> MOTION to Compel Responses to Deposition Questions and For Sanctions. Entries modified as WITHDRAWN pursuant to Minute Order dated 4/28/2008 Text only entry – no document attached (sah, ) (Entered: 05/02/2008)

05/12/2008	<u>231</u>	REPLY to Response to Motion re <u>218</u> MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 4, # <u>2</u> Exhibit 5, # <u>3</u> Exhibit 6, # <u>4</u> Exhibit 7, # <u>5</u> Exhibit 8, # <u>6</u> Exhibit 9)(Bruce, Stephen) (Entered: 05/12/2008)
05/14/2008	<u>232</u>	MOTION for Partial Summary Judgment <i>On Claim V</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 05/14/2008)
05/14/2008	<u>233</u>	BRIEF in Support re <u>232</u> MOTION for Partial Summary Judgment <i>On Claim V</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Nadel, Darren) (Entered: 05/14/2008)
05/16/2008	<u>234</u>	TRANSCRIPT of Discovery Conference held on 4-17-08 before Magistrate Judge Shaffer. Pages: 1-54. Per statute, copies of transcripts are available for inspection in the clerk's office. Parties interested in a copy may contact the court reporter or, in the case of a transcript prepared from a digital-audio taped record, the courtroom deputy for the judicial officer. (Avery Woods Reporting, ) (Entered: 05/16/2008)
05/27/2008	<u>235</u>	RESPONSE to Motion re <u>218</u> MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, <i>Defendants' Evidentiary Objections in Opposition to Plaintiffs' Reply Memorandum</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Rillo, Christopher) (Entered: 05/27/2008)
05/27/2008	<u>236</u>	BRIEF in Opposition re <u>218</u> MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, <i>Defendants' Brief in Support of Evidentiary Objections</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Rillo, Christopher) (Entered: 05/27/2008)
06/06/2008	<u>237</u>	BRIEF in Opposition re <u>232</u> MOTION for Partial Summary Judgment <i>On Claim V</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12 (Affidavit))(Bruce, Stephen) (Entered: 06/06/2008)
06/06/2008	<u>238</u>	NOTICE re <u>220</u> MOTION for Partial Summary Judgment ( <i>On ADEA Claim for Failure to File a Timely Charge of Discrimination</i> ) ( <i>Notice of Supplemental Authority</i> ) by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Exhibit A, Part 1, # <u>2</u> Exhibit A, Part 2, # <u>3</u> Exhibit A, Part 3)(Nadel, Darren) (Entered: 06/06/2008)
06/10/2008	<u>239</u>	MOTION to Supplement <u>226</u> Brief in Opposition to Motion,, <u>218</u> MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, <i>Notice of Supplemental Authority</i> ) by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A, Part 1, # <u>2</u> Exhibit A, Part 2, # <u>3</u> Exhibit A, Part 3, # <u>4</u> Exhibit A, Part 4, # <u>5</u> Exhibit A, Part 5, # <u>6</u> Exhibit A, Part 6, # <u>7</u> Exhibit A, Part 7)(Nadel, Darren) (Entered: 06/10/2008)
06/13/2008	<u>240</u>	Unopposed MOTION For Extension of Time to <i>Conduct Discovery</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 06/13/2008)

06/16/2008	241	MEMORANDUM regarding <u>240</u> Unopposed MOTION For Extension of Time to <i>Conduct Discovery</i> filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 6/16/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 06/16/2008)
06/17/2008	<u>242</u>	MINUTE ORDER granting <u>240</u> Plaintiffs Unopposed Motion to Amend Minute Order on Discovery. The deadline for Plaintiffs to file a motion or motions to enforce the subpoenas duces tecum served on Mercer and Hewitt is extended to 7/14/2008. The deadline for expert depositions is extended to 7/30/2008 by Magistrate Judge Craig B Shaffer on 06/17/2008.(sah, ) (Entered: 06/17/2008)
06/18/2008	<u>243</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>232</u> MOTION for Partial Summary Judgment <i>On Claim V</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Order (PDF Only) Proposed Order)(Nadel, Darren) (Entered: 06/18/2008)
06/18/2008	244	MEMORANDUM regarding <u>243</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>232</u> MOTION for Partial Summary Judgment <i>On Claim V</i> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>232</u> MOTION for Partial Summary Judgment <i>On Claim V</i> filed by El Paso Corporation, El Paso Pension Plan. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 6/18/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 06/18/2008)
06/18/2008	<u>245</u>	MINUTE ORDER granting <u>243</u> Defendants Unopposed Motion for Extension of Time to File a Reply in Support of Defendants Motion for Partial Summary Judgment on Claim V. The deadline is extended to 6/30/2008 by Magistrate Judge Craig B Shaffer on 06/18/2008.(sah, ) (Entered: 06/18/2008)
06/19/2008	<u>246</u>	REPLY to Response to Motion re <u>218</u> MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, <i>Plaintiffs' Opposition to Defendants' "Evidentiary Objections" in Opposition to Plaintiffs' Reply in Support of Motion for Reconsideration</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 06/19/2008)
06/23/2008	<u>247</u>	MOTION for In Camera Inspection <i>Defendants' Motion for In Camera Review of Documents Inadvertently Produced to Plaintiffs on February 14, 2008</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Rillo, Christopher) (Entered: 06/23/2008)
06/23/2008	248	MEMORANDUM regarding <u>247</u> MOTION for In Camera Inspection <i>Defendants' Motion for In Camera Review of Documents Inadvertently Produced to Plaintiffs on February 14, 2008</i> filed by El Paso Corporation, El Paso Pension Plan. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 6/23/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 06/23/2008)
06/23/2008	<u>249</u>	TRANSCRIPT of Motions Hearing held on 4-16-08 before Magistrate Judge Shaffer. Pages: 1-113.  <b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>  Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 9/22/2008. (Avery Woods Reporting, ) (Entered: 06/23/2008)

06/23/2008	<u>250</u>	MOTION for In Camera Inspection by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 06/23/2008)
06/23/2008	<u>251</u>	BRIEF in Support re <u>250</u> MOTION for In Camera Inspection filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8)(Bruce, Stephen) (Entered: 06/23/2008)
06/23/2008	<u>252</u>	MEMORANDUM regarding <u>250</u> MOTION for In Camera Inspection filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 6/23/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 06/23/2008)
06/24/2008	<u>253</u>	MINUTE ORDER, A Telephonic Status Conference to discuss Defendants Motionfor In Camera Review of Documents Inadvertently Produced to Plaintiffs on February 14, 2008, <u>247</u> and Plaintiffs Motion for In Camera Review of Inadvertently Produced Spreadsheets Identified in 5/2/2008 Privilege Log <u>250</u> is set for 7/10/2008 03:30 PM by Magistrate Judge Craig B Shaffer on 06/24/2008. (sah, ) (Entered: 06/24/2008)
06/24/2008	<u>254</u>	NOTICE re <u>218</u> MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, <i>Statement of Supplemental Authority</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Bruce, Stephen) (Entered: 06/24/2008)
06/25/2008	<u>255</u>	RESPONSE to <u>254</u> Notice (Other) (Supplemental Authority) by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) Modified on 6/26/2008 to remove system generated duplicate text(sah, ). (Entered: 06/25/2008)
06/30/2008	<u>256</u>	BRIEF in Support re <u>232</u> MOTION for Partial Summary Judgment <i>On Claim V</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit J, Part 1, # <u>2</u> Exhibit J, Part 2, # <u>3</u> Exhibit J, Part 3, # <u>4</u> Exhibit J, Part 4, # <u>5</u> Exhibit J, Part 5, # <u>6</u> Exhibit J, Part 6, # <u>7</u> Deposition Excerpts J, Part 7, # <u>8</u> Exhibit J, Part 8, # <u>9</u> Exhibit K, Part 1, # <u>10</u> Exhibit K, Part 2.pdf, # <u>11</u> Exhibit K, Part 3.pdf, # <u>12</u> Exhibit L, Part 1, # <u>13</u> Exhibit L, Part 2.pdf, # <u>14</u> Exhibit M, Part 1.pdf, # <u>15</u> Exhibit M, Part 2.pdf)(Nadel, Darren) (Entered: 06/30/2008)
07/07/2008	<u>257</u>	BRIEF re <u>235</u> Response to Motion,, <u>218</u> MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, MOTION for Reconsideration re <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, <u>213</u> Order on Motion to Certify Class, Order on Motion for Judgment, Order on Motion for Leave, Order on Motion for Leave, Order on Motion to Strike,,,,,,,,,,,,, <i>Defendants' Reply in Support of Evidentiary Objections in Connection with Plaintiff's Motion for Reconsideration of March 19, 2008 Decision</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 07/07/2008)
07/10/2008	<u>258</u>	COURTROOM MINUTES/MINUTE ORDER for proceedings held before Magistrate Judge Craig B Shaffer. Telephonic Status Conference held on 7/10/2008: Granting <u>247</u> Motion for In Camera Inspection and Granting <u>250</u> Motion for In Camera Inspection. Defendants' counsel shall file a responsive brief to <u>251</u> and provide the referenced documents for <i>in camera</i> review by 7/15/2007. No reply shall be allowed absent a showing of good cause. (FTR – Ben Van Dyke) (cbscd) (Entered: 07/11/2008)
07/11/2008	<u>259</u>	AMENDED Minute Entry for proceedings held before Magistrate Judge Craig B Shaffer: Defendants Motion for In Camera Review of Documents InadvertentlyProduced to Plaintiffs on 2/14/2080( <u>247</u> and Plaintiffs Motionfor In Camera Review of Inadvertently Produced Spreadsheets Identifiedin 5/2/2008 Privilege Log <u>250</u> are granted for the reasons stated onthe record. Defendants counsel shall file a responsive brief to <u>251</u> andprovide the referenced documents for in camera review by 7/15/2008.The documents shall be provided in both hard

		copy and disc formats, as discussed on the record. No reply shall be allowed absent a showing of good cause by plaintiffs counsel. (Court Reporter FTR–Ben Van Dyke.) (sah, ) (Entered: 07/11/2008)
07/11/2008	<u>260</u>	Unopposed MOTION to Withdraw as Attorney ( <i>Raymond W. Martin</i> ) by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Order (PDF Only) Order)(Martin, Raymond) (Entered: 07/11/2008)
07/14/2008	261	MEMORANDUM regarding <u>260</u> Unopposed MOTION to Withdraw as Attorney ( <i>Raymond W. Martin</i> ) filed by El Paso Corporation, El Paso Pension Plan. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 7/14/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 07/14/2008)
07/14/2008	<u>262</u>	MINUTE ORDER granting <u>260</u> Motion to Withdraw as Attorney. Attorney Raymond W. Martin terminated by Magistrate Judge Craig B Shaffer on 07/14/2008.(sah, ) (Entered: 07/14/2008)
07/14/2008	<u>263</u>	MOTION to Enforce <i>Subpoena Duces Tecum to Mercer</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 07/14/2008)
07/14/2008	<u>264</u>	BRIEF in Support re <u>263</u> MOTION to Enforce <i>Subpoena Duces Tecum to Mercer</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Bruce, Stephen) (Entered: 07/14/2008)
07/15/2008	265	MEMORANDUM regarding <u>263</u> MOTION to Enforce <i>Subpoena Duces Tecum to Mercer</i> filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 7/14/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 07/15/2008)
07/15/2008	<u>266</u>	BRIEF in Support re <u>247</u> MOTION for In Camera Inspection <i>Defendants' Motion for In Camera Review of Documents Inadvertently Produced to Plaintiffs on February 14, 2008</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit)(Rillo, Christopher) (Entered: 07/15/2008)
07/22/2008	<u>267</u>	MINUTE ORDER setting hearings: Magistrate Conference set for 7/22/2008 at 10:30 a.m. in Courtroom A 402 before Magistrate Judge Shaffer. Entered by Magistrate Judge Craig B Shaffer on 7/22/08. (cbssec) (Entered: 07/22/2008)
07/22/2008	<u>268</u>	MINUTE ORDER, A Magistrate Conference is set for 7/30/2008 10:30 AM in Courtroom A 402 by Magistrate Judge Craig B Shaffer on 07/22/2008. (sah, ) (Entered: 07/23/2008)
07/30/2008	<u>269</u>	MOTION for Extension of Time to File Response/Reply as to <u>263</u> MOTION to Enforce <i>Subpoena Duces Tecum to Mercer</i> by Interested Party Mercer Human Resource Consulting, Inc.. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Toll, Christopher) (Entered: 07/30/2008)
07/30/2008	270	MEMORANDUM regarding <u>269</u> MOTION for Extension of Time to File Response/Reply as to <u>263</u> MOTION to Enforce <i>Subpoena Duces Tecum to Mercer</i> filed by Mercer Human Resource Consulting, Inc.. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 7/30/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 07/30/2008)
07/30/2008	<u>271</u>	COURTROOM MINUTES/MINUTE ORDER for proceedings held before Magistrate Judge Craig B Shaffer. Discovery Conference held on 7/30/2008: The documents inadvertently produced to plaintiffs' counsel on February 14, 2008 by El Paso Corporation are not required to be returned to El Paso for the reasons articulated on the record. The disputed documents may be retained by plaintiffs. (FTR – Ben Van Dyke) (cbscd) (Entered: 07/30/2008)
08/01/2008	<u>272</u>	RESPONSE to Motion re <u>269</u> MOTION for Extension of Time to File Response/Reply as to <u>263</u> MOTION to Enforce <i>Subpoena Duces Tecum to Mercer</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce,

		Stephen) (Entered: 08/01/2008)
08/04/2008	<u>273</u>	MINUTE ORDER granting <u>269</u> Mercers Motion for Extension of Time to Respond to Plaintiffs Motion to Enforce Subpoena duces Tecum to Mercer. The deadline for Mercer to respond is extended to 8/18/2008 by Magistrate Judge Craig B Shaffer on 08/04/2008.(sah, ) (Entered: 08/04/2008)
08/15/2008	<u>274</u>	TRANSCRIPT of Discovery Conference held on 7-30-08 before Magistrate Judge Shaffer. Pages: 1-64.  <b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>  Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 11/13/2008. (Avery Woods Reporting, ) (Entered: 08/15/2008)
08/15/2008	<u>275</u>	Second MOTION for Extension of Time to File Response/Reply to <u>263</u> Plaintiffs' Motion to Enforce Subpoena Duces Tecum to Mercer by Interested Party Mercer Human Resource Consulting, Inc.. (Attachments: # <u>1</u> Proposed Order (PDF Only) Proposed Order)(Toll, Christopher) Modified on 8/18/2008 to create linkage to the Motion to Enforce Subpoena Duces Tecum to Mercer (sah, ). (Entered: 08/15/2008)
08/18/2008	276	MEMORANDUM regarding <u>275</u> Second MOTION for Extension of Time to File Response/Reply to Plaintiffs' Motion to Enforce Subpoena Duces Tecum to Mercer filed by Mercer Human Resource Consulting, Inc..Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 8/18/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 08/18/2008)
08/18/2008	277	Docket Annotation re: <u>275</u> Second MOTION for Extension of Time to File Response/Reply to Plaintiffs' Motion to Enforce Subpoena Duces Tecum to Mercer. Entry modified on 8/18/2008 to create linkage to the Motion to Enforce Subpoena Duces Tecum to Mercer. Text only entry – no document attached (sah, ) (Entered: 08/18/2008)
08/19/2008	278	MINUTE ORDER granting Mercer Human Resource Consulting's <u>275</u> Motion for Extension of Time to File Response to Plaintiff's <u>263</u> Motion to Enforce Subpoena Duces Tecum to Mercer. The deadline to respond is extended to <b>9/1/08</b> . Entered by Magistrate Judge Craig B Shaffer on 8/19/08. (Text only entry – no document attached) (cbssec) (Entered: 08/19/2008)
09/02/2008	<u>279</u>	RESPONSE to Motion re <u>263</u> MOTION to Enforce <i>Subpoena Duces Tecum to Mercer</i> filed by Interested Party Mercer Human Resource Consulting, Inc.. (Attachments: # <u>1</u> Exhibit A to Mercer's Response to Plaintiffs' Motion to Enforce Subpoena Duces Tecum to Mercer)(Toll, Christopher) (Entered: 09/02/2008)
09/04/2008	<u>280</u>	NOTICE re <u>226</u> Brief in Opposition to Motion,, <i>Defendants' Second Notice of Supplemental Authority in Support of Response to Motion for Reconsideration</i> by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Exhibit)(Rillo, Christopher) (Entered: 09/04/2008)
09/05/2008	<u>281</u>	RESPONSE to <u>280</u> Notice (Other), <i>Notice (Other) of Supplemental Authority in Support of Response to Motion for Reconsideration</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 09/05/2008)
09/15/2008	<u>282</u>	MINUTE ORDER. A Motion Hearing on Plaintiffs Motion to Enforce Subpoenaduces Tecum to Mercer <u>263</u> is set for 10/06/2008 at 8:30 a.m. in Courtroom A- 402, Fourth Floor, of the Alfred A. Arraj U.S. Courthouse, 901 19th Street, Denver, Colorado by Magistrate Judge Craig B Shaffer on 09/15/2008. (sah,

		) (Entered: 09/15/2008)
09/16/2008	<u>283</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>279</u> Response to Motion, by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 09/16/2008)
09/16/2008	284	MEMORANDUM regarding <u>283</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>279</u> Response to Motion, filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. Motions referred to Magistrate Judge Craig B Shaffer. Signed by Judge Walker D. Miller on 9/16/08. (wdmcd) (Text Only Entry – No Document Attached) (Entered: 09/16/2008)
09/16/2008	<u>285</u>	MINUTE ORDER granting <u>283</u> Plaintiffs Unopposed Motion for Extension of Time to Reply to Mercers Response to Motion to Enforce Subpoena Duces Tecum. The reply to Mercers Response to Motion to Enforce Subpoena Duces Tecum is due by 09/29/2008 by Magistrate Judge Craig B Shaffer on 09/16/2008.(sah, ) (Entered: 09/16/2008)
09/25/2008	<u>286</u>	MOTION For Extension of Time <i>For Scheduled Hearing</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 09/25/2008)
09/26/2008	287	MEMORANDUM regarding <u>286</u> MOTION For Extension of Time <i>For Scheduled Hearing</i> filed by El Paso Corporation, El Paso Pension Plan. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 9/26/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 09/26/2008)
09/26/2008	288	MINUTE ORDER setting hearing on Defendants' <u>286</u> MOTION For Extension of Time For Scheduled Hearing: Telephonic Motion Hearing will be held on <u>9/30/2008 10:00 a.m.</u> Counsel shall coordinate to create a conference call, then contact the Court at (303) 844–2117 to participate in the hearing. Entered by Magistrate Judge Craig B Shaffer on 9/26/08. (Text only entry – no document attached)(cbssec) (Entered: 09/26/2008)
09/26/2008	289	MINUTE ORDER rsetting hearing on Defendants' <u>286</u> MOTION For Extension of Time For Scheduled Hearing: Telephonic Motion Hearing RESET to <u>9/29/2008 at 1:00 p.m.</u> Counsel shall coordinate to create a conference call, then contact the Court at (303) 844–2117 to participate in the hearing. Entered by Magistrate Judge Craig B Shaffer on 9/26/08. (Text only entry – no document attached)(cbssec) (Entered: 09/26/2008)
09/29/2008	<u>290</u>	REPLY to Response to Motion re <u>263</u> MOTION to Enforce <i>Subpoena Duces Tecum to Mercer</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 8, # <u>2</u> Exhibit 9, # <u>3</u> Exhibit 10, # <u>4</u> Exhibit 11, # <u>5</u> Exhibit 12, # <u>6</u> Exhibit 13, # <u>7</u> Exhibit 14, # <u>8</u> Exhibit 15, # <u>9</u> Exhibit 16, # <u>10</u> Exhibit 17, # <u>11</u> Exhibit 18, # <u>12</u> Exhibit 19, # <u>13</u> Exhibit 20, # <u>14</u> Exhibit 21, # <u>15</u> Exhibit 22, # <u>16</u> Exhibit 23)(Bruce, Stephen) (Entered: 09/29/2008)
09/29/2008	<u>292</u>	AMENDED COURTROOM MINUTES/MINUTE ORDER <u>291</u> Corrected date of hearing to September 29, 2008 (erv, ) Modified on 10/1/2008 to correct the file date (gms, ). (Entered: 09/30/2008)
09/30/2008	<u>291</u>	COURTROOM MINUTES – Minute Entry for proceedings held before Magistrate Judge Craig B Shaffer: Motion Hearing held on 9/30/2008. Granting <u>286</u> Defendants' Motion for Extension of Time. Reset Plaintiffs' Motion to Enforce Subpoena Duces Techum to Mercer <u>236</u> to 10/15/2008 at 01:30 PM before Magistrate Judge Craig B. Shaffer. (Court Reporter FTR) (psfcd) (Entered: 09/30/2008)
10/01/2008	293	Docket Annotation re: <u>292</u> Amended Document. This docket entry was modified to correct the file date to be 9/29/08. Text only entry – no document attached (gms, ) (Entered: 10/01/2008)
10/07/2008	<u>294</u>	MOTION to Compel <i>Adequate Privilege Log for Documents Withheld by Mercer</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 10/07/2008)

10/07/2008	<u>295</u>	BRIEF in Support re <u>294</u> MOTION to Compel <i>Adequate Privilege Log for Documents Withheld by Mercer</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Bruce, Stephen) (Entered: 10/07/2008)
10/08/2008	296	MEMORANDUM regarding <u>294</u> MOTION to Compel <i>Adequate Privilege Log for Documents Withheld by Mercer</i> filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 10/8/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 10/08/2008)
10/15/2008	<u>297</u>	COURTROOM MINUTES/MINUTE ORDER for proceedings held before Magistrate Judge Craig B Shaffer. Motion Hearing held on 10/15/2008: Denying <u>263</u> Motion to Enforce Subpoena Duces Tecum to Mercer. Counsel shall follow the guidelines set forth by the court regarding discovery as it goes forward. Defendants' counsel shall provide plaintiffs' counsel with a supplemental privilege log by 10/22/2008. Plaintiffs' counsel shall review the supplementation and respond to defendants' counsel by 11/5/2008 whether an issue still exists. If an issue still exists, plaintiffs' counsel shall file a supplemental brief by 11/12/2008, and defendants' response is due by 11/21/2008. No reply shall be allowed. The Final Pretrial Conference set for 10/30/2008 is vacated. (FTR – Ben Van Dyke) (cbscd) (Entered: 10/16/2008)
10/22/2008	<u>298</u>	Unopposed MOTION For Extension of Time <i>To Submit a Supplemental Privilege Log to Plaintiffs</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Order (PDF Only) Proposed Order)(Randall, Melissa) (Entered: 10/22/2008)
10/22/2008	299	MEMORANDUM regarding <u>298</u> Unopposed MOTION For Extension of Time <i>To Submit a Supplemental Privilege Log to Plaintiffs</i> filed by El Paso Corporation, El Paso Pension Plan. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 10/22/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 10/22/2008)
10/23/2008	<u>300</u>	ORDER granting Defendants' <u>298</u> Unopposed Motion For Extension of Time to Submit a Supplemental Privilege Log to Plaintiffs up to and including 10/27/2008. Signed by Magistrate Judge Craig B Shaffer on 10/23/2008.(sss, ) (Entered: 10/23/2008)
11/05/2008	<u>301</u>	TRANSCRIPT of Motions Hearing held on 10–15–08 before Magistrate Judge Shaffer. Pages: 1–109.  <b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>  Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 2/3/2009. (Avery Woods Reporting, ) (Entered: 11/05/2008)
11/14/2008	<u>302</u>	Unopposed MOTION For Extension of Time <i>to File Supplemental Brief on Privilege Log for Documents Withheld by Mercer</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 11/14/2008)
11/14/2008	303	MEMORANDUM regarding <u>302</u> Unopposed MOTION For Extension of Time <i>to File Supplemental Brief on Privilege Log for Documents Withheld by Mercer</i> filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 11/14/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 11/14/2008)

11/17/2008	304	MINUTE ORDER granting Plaintiffs' Unopposed <u>302</u> Motion for Extension of Time to File Supplemental Brief on Privilege Log for Documents Withheld by Mercer. The deadline for Plaintiffs is extended to <b>11/24/08</b> . Defendants have until <b>12/3/08</b> to file a response brief. Entered by Magistrate Judge Craig B Shaffer on 11/17/08. (Text only entry – no document attached) (cbssec) (Entered: 11/17/2008)
11/24/2008	<u>305</u>	BRIEF in Support re <u>294</u> MOTION to Compel <i>Adequate Privilege Log for Documents Withheld by Mercer</i> ( <i>Supplemental Brief Authorized by 10/15/2008 Minute Order</i> ) filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 10, # <u>2</u> Exhibit 11, # <u>3</u> Exhibit 12, # <u>4</u> Exhibit 13, # <u>5</u> Exhibit 14)(Bruce, Stephen) (Entered: 11/24/2008)
11/26/2008	<u>306</u>	MOTION for Extension of Time to File Response/Reply as to Brief in Support of Motion to Compel Adequate Privilege Log for Documents Withheld by Mercer <u>294</u> by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Nadel, Darren) Modified on 11/28/2008 to correct linkage (gms, ). (Entered: 11/26/2008)
11/28/2008	307	Docket Annotation re: <u>306</u> MOTION for Extension of Time to File Response/Reply as to <u>305</u> Brief in Support of Motion to <i>Compel Adequate Privilege Log for Documents Withheld by Mercer</i> . This docket entry was modified to correct the linkage to Doc #294. Text only entry – no document attached (gms, ) (Entered: 11/28/2008)
12/01/2008	308	MEMORANDUM regarding <u>306</u> MOTION for Extension of Time to File Response/Reply as to <u>305</u> Brief in Support of Motion, to <i>Compel Adequate Privilege Log for Documents Withheld by Mercer</i> MOTION for Extension of Time to File Response/Reply as to <u>305</u> Brief in Support of Motion, to <i>Compel Adequate Privilege Log for Documents Withheld by Mercer</i> filed by El Paso Corporation, El Paso Pension Plan.Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 12/1/08. (Text Only Entry – No Document Attached)(wdmsec, ) (Entered: 12/01/2008)
12/02/2008	<u>309</u>	MINUTE ORDER granting <u>306</u> Defendants' Motion for Extension of Time to File Response to Plaintiffs' Supplemental Brief in Support of Motion to Compel Adequate Privilege Log for Documents Withheld by Mercer to on or before 12/10/08, by Magistrate Judge Craig B Shaffer on 12/02/08.(wjc, ) (Entered: 12/02/2008)
12/10/2008	<u>310</u>	BRIEF in Opposition re <u>294</u> MOTION to Compel <i>Adequate Privilege Log for Documents Withheld by Mercer</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Nadel, Darren) (Entered: 12/10/2008)
01/21/2009	<u>311</u>	ORDER denying <u>218</u> Plaintiff's Motion for Reconsideration of 3/19/08 Decision ; granting <u>220</u> Defendants' Motion for Partial Summary Judgment; granting <u>232</u> Defendants' Motion for Partial Summary Judgment. Summary judgment shall enter against Plaintiffs and in favor of Defendants on Claim I and Claim V. All other claims were previously dismissed. Defendants may have their costs. Signed by Judge Walker D. Miller on 1/21/09.(gms, ) (Entered: 01/22/2009)
01/23/2009	<u>312</u>	JUDGMENT by Clerk. Summary judgment is entered against Plaintiffs and in favor of Defendants on Claim 1 and V. Judgment is entered in favor of Defendants and against Plaintiffs. Defendants are awarded costs upon the filing of a Bill of Costs with the Clerk of Court within ten days entry of judgment, signed on 1/23/09. (gmssl, ) (Entered: 01/23/2009)
02/06/2009	<u>313</u>	MOTION to Alter Judgment re <u>312</u> Clerk's Judgment, by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 02/06/2009)
02/06/2009	<u>314</u>	BRIEF in Support re <u>313</u> MOTION to Alter Judgment re <u>312</u> Clerk's Judgment, filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 02/06/2009)
02/06/2009	<u>315</u>	MOTION for Attorney Fees <i>Rule 45 Request fir Reimbursement of Attorney's Fees</i> by Interested Party Mercer Human Resource Consulting, Inc.. (Attachments: # <u>1</u> Exhibit Exhibit A to Mercer's Rule 45 Request for Reimbursement of Attorney's

		Fees, # <u>2</u> Exhibit Exhibit B to Mercer's Rule 45 Request for Reimbursement of Attorney's Fees, # <u>3</u> Exhibit Exhibit C to Mercer's Rule 45 Request for Reimbursement of Attorney's Fees, # <u>4</u> Exhibit Exhibit D to Mercer's Rule 45 Request for Reimbursement of Attorney's Fees, # <u>5</u> Exhibit Exhibit E to Mercer's Rule 45 Request for Reimbursement of Attorney's Fees)(Toll, Christopher) (Entered: 02/06/2009)
02/06/2009	<u>316</u>	Proposed Bill of Costs by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, Part 1, # <u>3</u> Exhibit B, Part 2, # <u>4</u> Exhibit B, Part 3, # <u>5</u> Exhibit B, Part 4, # <u>6</u> Exhibit B, Part 5, # <u>7</u> Exhibit B, Part 6, # <u>8</u> Exhibit B, Part 7, # <u>9</u> Exhibit B, Part 8, # <u>10</u> Exhibit B, Part 9, # <u>11</u> Exhibit B, Part 10, # <u>12</u> Exhibit B, Part 11, # <u>13</u> Exhibit B, Part 12, # <u>14</u> Exhibit C, Part 1, # <u>15</u> Exhibit C, Part 2, # <u>16</u> Exhibit C, Part 3, # <u>17</u> Exhibit C, Part 4, # <u>18</u> Exhibit C, Part 5, # <u>19</u> Exhibit C, Part 6, # <u>20</u> Exhibit C, Part 7)(Nadel, Darren) (Entered: 02/06/2009)
02/06/2009	<u>317</u>	STATEMENT re <u>313</u> MOTION to Alter Judgment re <u>312</u> Clerk's Judgment,, <u>314</u> Brief in Support of Motion ( <i>Notice of Intent to Respond to Plaintiffs' Motion to Alter or Amend Judgment</i> ) by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 02/06/2009)
02/12/2009	<u>318</u>	MOTION to Stay re <u>316</u> Proposed Bill of Costs,, by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 02/12/2009)
02/12/2009	<u>319</u>	BRIEF in Support re <u>318</u> MOTION to Stay re <u>316</u> Proposed Bill of Costs,, filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 02/12/2009)
02/18/2009	<u>320</u>	MINUTE ORDER granting <u>318</u> Plaintiffs' Motion to Stay Proceedings on Defendants' Bill of Costs pending determination of the Motion to Alter or Amend, by Judge Walker D. Miller on 2/18/09.(ebs, ) (Entered: 02/18/2009)
02/26/2009	<u>321</u>	TRANSCRIPT of Telephonic Motion Hearing held on 09/29/08 before Magistrate Judge Shaffer. Pages: 1-10.  <b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>  Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 5/27/2009. (Avery Woods Reporting, ) (Entered: 02/26/2009)
02/26/2009	<u>322</u>	TRANSCRIPT of Telephonic Discovery Conference held on 01/31/08 before Magistrate Judge Shaffer. Pages: 1-31.  <b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>  Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 5/27/2009. (Avery Woods Reporting, ) (Entered: 02/26/2009)

02/26/2009	<u>323</u>	RESPONSE to Motion re <u>313</u> MOTION to Alter Judgment re <u>312</u> Clerk's Judgment, filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Nadel, Darren) (Entered: 02/26/2009)
02/26/2009	<u>324</u>	STRICKEN – Amended MOTION for Summary Judgment <i>on ADEA Claim</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) Modified on 8/28/2009 to indicate stricken pursuant to the order of 8/28/09 (gms, ). (Entered: 02/26/2009)
02/26/2009	<u>325</u>	BRIEF in Support re <u>324</u> Amended MOTION for Summary Judgment <i>on ADEA Claim</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A – Part 1, # <u>2</u> Exhibit A – Part 2, # <u>3</u> Exhibit A – Part 3, # <u>4</u> Exhibit A – Part 4, # <u>5</u> Exhibit A – Part 5, # <u>6</u> Exhibit B, # <u>7</u> Exhibit C, # <u>8</u> Exhibit 1 to Exhibit C, # <u>9</u> Exhibit 2 to Exhibit C, # <u>10</u> Exhibit 3 to Exhibit C, # <u>11</u> Exhibit 4 to Exhibit C, # <u>12</u> Exhibit 5 to Exhibit C, # <u>13</u> Exhibit D, # <u>14</u> Exhibit 1 to Exhibit D, # <u>15</u> Exhibit 2 to Exhibit D, # <u>16</u> Exhibit 3 to Exhibit D, # <u>17</u> Exhibit 4 to Exhibit D, # <u>18</u> Exhibit E, # <u>19</u> Exhibit F, # <u>20</u> Exhibit G, # <u>21</u> Exhibit H, # <u>22</u> Exhibit I, # <u>23</u> Exhibit J, # <u>24</u> Exhibit K)(Nadel, Darren) (Entered: 02/26/2009)
02/26/2009	<u>326</u>	RESPONSE to Motion re <u>313</u> MOTION to Alter Judgment re <u>312</u> Clerk's Judgment, <i>Request for Approval of ADEA Collective Action Notice and Consent Form</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit 1 to Exhibit A, # <u>3</u> Exhibit 2 to Exhibit A, # <u>4</u> Exhibit 3 to Exhibit A, # <u>5</u> Exhibit 4 to Exhibit A, # <u>6</u> Exhibit 5 to Exhibit A)(Nadel, Darren) (Entered: 02/26/2009)
02/26/2009	<u>327</u>	MOTION for Leave to File Excess Pages <i>to Defendants' Amended Motion for Partial Summary Judgment on Plaintiffs' ADEA Claim</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Nadel, Darren) (Entered: 02/26/2009)
03/02/2009	<u>328</u>	MOTION to Strike <u>315</u> MOTION for Attorney Fees <i>Rule 45 Request fir Reimbursement of Attorney's Fees</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 03/02/2009)
03/02/2009	<u>329</u>	BRIEF in Support re <u>328</u> MOTION to Strike <u>315</u> MOTION for Attorney Fees <i>Rule 45 Request fir Reimbursement of Attorney's Fees</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 03/02/2009)
03/03/2009	<u>330</u>	REPLY to Response to Motion re <u>313</u> MOTION to Alter Judgment re <u>312</u> Clerk's Judgment, filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Appendix House Report 110–237)(Bruce, Stephen) (Entered: 03/03/2009)
03/18/2009	<u>331</u>	MOTION to Strike <u>324</u> Amended MOTION for Summary Judgment <i>on ADEA Claim</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 03/18/2009)
03/18/2009	<u>332</u>	BRIEF in Support re <u>331</u> MOTION to Strike <u>324</u> Amended MOTION for Summary Judgment <i>on ADEA Claim</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 03/18/2009)
03/23/2009	<u>333</u>	Amended MOTION for Attorney Fees <i>Rule 45 Request for Reimbursement</i> by Interested Party Mercer Human Resource Consulting, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Toll, Christopher) (Entered: 03/23/2009)
03/23/2009	<u>334</u>	RESPONSE to Motion re <u>328</u> MOTION to Strike <u>315</u> MOTION for Attorney Fees <i>Rule 45 Request fir Reimbursement of Attorney's Fees</i> filed by Interested Party Mercer Human Resource Consulting, Inc.. (Toll, Christopher) (Entered: 03/23/2009)
03/23/2009	<u>335</u>	MEMORANDUM regarding <u>333</u> Amended MOTION for Attorney Fees <i>Rule 45 Request for Reimbursement</i> filed by Mercer Human Resource Consulting,

		Inc..Motions referred to Magistrate Judge Craig B Shaffer by Judge Walker D. Miller on 3/23/09. TEXT ONLY ENTRY – NO DOCUMENT ATTACHED(wdmsec, ) (Entered: 03/23/2009)
03/24/2009	<u>336</u>	MINUTE ORDER re: <u>333</u> Amended MOTION for Attorney Fees <i>Rule 45 Request for Reimbursement</i> filed by Mercer Human Resource Consulting, Inc. ORDERED that the parties are directed to D.C.ColoL.CivR. 7.1 C for the deadline(s) relating to the filing of the response and reply brief(s). By Magistrate Judge Craig B Shaffer on 3/24/09. TEXT ONLY ENTRY – NO DOCUMENT ATTACHED(cbssec) (Entered: 03/24/2009)
03/31/2009	<u>337</u>	MINUTE ORDER re: <u>315</u> Motion for Attorney Fees and <u>328</u> Motion to Strike. These motions are now moot, by Judge Walker D. Miller on 3/31/09.(ebs, ) (Entered: 03/31/2009)
04/07/2009	<u>338</u>	RESPONSE to Motion re <u>331</u> MOTION to Strike <u>324</u> Amended MOTION for Summary Judgment <i>on ADEA Claim</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Nadel, Darren) (Entered: 04/07/2009)
04/15/2009	<u>339</u>	BRIEF in Opposition re <u>333</u> Amended MOTION for Attorney Fees <i>Rule 45 Request for Reimbursement</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Bruce, Stephen) (Entered: 04/15/2009)
04/22/2009	<u>340</u>	MINUTE ORDER Telephone Hearing (Status Conference) set for 5/19/2009 09:00 AM before Judge Walker D. Miller, by Judge Walker D. Miller on 4/22/09. (gms, ) (Entered: 04/22/2009)
04/27/2009	<u>341</u>	REPLY to Response to Motion re <u>331</u> MOTION to Strike <u>324</u> Amended MOTION for Summary Judgment <i>on ADEA Claim</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 04/27/2009)
04/30/2009	<u>342</u>	REPLY to Response to Motion re <u>333</u> Amended MOTION for Attorney Fees <i>Rule 45 Request for Reimbursement</i> filed by Interested Party Mercer Human Resource Consulting, Inc.. (Toll, Christopher) (Entered: 04/30/2009)
05/19/2009	<u>343</u>	ORDER All matters at issue between the non-party Mercer (US) Inc. and the Plaintiffs, including Mercers Amended Rule 45 Request for Reimbursement of Attorneys Fees <u>333</u> shall be separately administered and tried on those issues. I hereby recuse myself from serving on all such issues concerning non-party Mercer (US) Inc. and direct that the Clerk of the court assign those issues to one of my colleagues by random draw, maintaining the case assignment with myself for all other issues, including all matters at issue between the Plaintiffs and Defendants, by Judge Walker D. Miller on 5/19/09. (gmssl, ) (Entered: 05/20/2009)
05/19/2009	<u>346</u>	Minute Entry – Courtroom Minutes for Telephone Conference held before Judge Walker D. Miller on 5/19/2009. ORDERED: With regard to Plaintiffs' Motion to Alter or Amend Judgment [Doc. 313], Defendant may file supplemental authority by Tuesday, May 26, 2009. Plaintiffs may file a response by Tuesday, June 2, 2009. (Court Reporter Kara Spitler) (Ibush) (Entered: 05/21/2009)
05/20/2009	<u>344</u>	Letter from clerk advising that Senior District Judge Richard P. Matsch has been randomly assigned to issues concerning the non-party Mercer (US) Inc., pursuant to the 5/19/09 <u>343</u> Order. (gmssl, ) (Entered: 05/20/2009)
05/20/2009	<u>345</u>	ORDER VACATING ORDER OF REFERENCE The 335 Memorandum referring <u>333</u> Mercer's Amended Rule 45 Request for Reimbursement of Attorney's Fees to Magistrate Judge Shaffer is vacated, by Judge Richard P. Matsch on 5/20/09. (gmssl, ) (Entered: 05/20/2009)
05/26/2009	<u>347</u>	SUPPLEMENTAL AUTHORITY re: <u>323</u> Response to Motion, Regarding Plaintiffs' Motion to Alter or Amend Judgment by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Exhibit A)(Nadel, Darren) (Modified on 5/27/2009 changed the title of the text to that of the document)(erv, ). (Entered: 05/26/2009)

05/28/2009	<u>348</u>	Minute ORDER Setting Hearing on <u>333</u> Amended MOTION for Attorney Fees Rule 45 Request for Reimbursement for 6/12/2009 11:00 AM in Courtroom A before Judge Richard P. Matsch by Judge Richard P. Matsch on 05/28/09. (jjh, ) (Entered: 05/28/2009)
06/02/2009	<u>349</u>	NOTICE re <u>347</u> Notice (Other), Notice (Other) <i>Response to Defendants' Notice of Supplemental Authority</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy (Bruce, Stephen) (Entered: 06/02/2009)
06/03/2009	350	Docket Annotation re: <u>349</u> Notice (Other). Counsel will re-file using the Response event. Text only entry – no document attached (sah, ) (Entered: 06/03/2009)
06/03/2009	<u>351</u>	RESPONSE to <u>347</u> Notice (Other), Notice (Other) by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Bruce, Stephen) (Entered: 06/03/2009)
06/12/2009	<u>352</u>	Minute Entry – Courtroom Minutes for before Judge Richard P. Matsch. Hearing on the Amended Rule 45 Request held on 06/12/2009. ORDERED: Mercer's Amended Rule 45 Request for Reimbursement of Attorney's Fees, March 23, 2009 <u>333</u> , is denied.(Reporter FTR – K. Terasaki) (rpmcd) Modified on 6/18/2009 to include the hearing type(sah, ). (Entered: 06/12/2009)
06/18/2009	353	Docket Annotation re: <u>352</u> Order on Motion for Attorney Fees,, Motion Hearing. Entry modified on 6/18/2009 to include the hearing type. Text only entry – no document attached (sah, ) (Entered: 06/18/2009)
07/07/2009	<u>354</u>	TRANSCRIPT of Request For Reimbursement of Attorney's Fees held on June 12, 2009 before Judge Matsch. Pages: 1–12. Prepared by: Federal Reporting Service, Inc..  <b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>  Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 10/5/2009. (Federal Reporting Service, Inc., ) (Entered: 07/07/2009)
08/05/2009	<u>355</u>	NOTICE of Change of Address by Christopher Hulbert Toll (Toll, Christopher) (Entered: 08/05/2009)
08/17/2009	<u>356</u>	NOTICE re <u>323</u> Response to Motion, <i>Second Supplemental Authority in Support of Response to Plaintiffs' Motion to Alter or Amend Judgment</i> by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Exhibit A)(Nadel, Darren) (Entered: 08/17/2009)
08/20/2009	<u>357</u>	RESPONSE to <u>356</u> Notice (Other), Notice (Other) by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 1)(Bruce, Stephen) (Entered: 08/20/2009)
08/21/2009	<u>358</u>	NOTICE of Change of Address by Christopher James Rillo (Rillo, Christopher) (Entered: 08/21/2009)
08/28/2009	<u>359</u>	ORDER Granting <u>313</u> Plaintiffs' Motion to Alter or Amend Judgment. The 1/21/09 order <u>311</u> is amended to deny defendants' Motion for Summary Judgment on plaintiffs' ADEA claim. <u>312</u> Clerk's Judgment is vacated. Granting <u>331</u> Plaintiffs' Motion to Strike Amended Motion for Summary Judgment on ADEA Claim. Striking <u>324</u> Defendants' Amended Motion for Summary Judgment on ADEA Claim. Denying as moot <u>327</u> Motion for Leave to File Excess Pages. Defendants may file renewed motion for summary judgment on ADEA claim within 20 days, by Judge Walker D. Miller on 8/28/09.(gms, ) Modified on 8/31/2009 to create a linkage and to add additional text (gms, ). (Entered: 08/28/2009)

08/31/2009	360	Docket Annotation re: <u>359</u> Order. This docket entry was modified to create a linkage and to add additional text. Text only entry – no document attached (gms, ) (Entered: 08/31/2009)
09/17/2009	<u>361</u>	MOTION for Leave to <i>Exceed Page Limitations</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Nadel, Darren) (Entered: 09/17/2009)
09/17/2009	<u>362</u>	Renewed MOTION for Summary Judgment <i>on ADEA Claim</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 09/17/2009)
09/17/2009	<u>363</u>	BRIEF in Support of <u>362</u> Renewed MOTION for Summary Judgment <i>on ADEA Claim</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A, Part 1, Amended Plan, # <u>2</u> Exhibit A, Part 2, # <u>3</u> Exhibit A, Part 3, # <u>4</u> Exhibit A, Part 4, # <u>5</u> Exhibit A, Part 5, # <u>6</u> Exhibit B, Deposition of Robert Bardwell, # <u>7</u> Exhibit C, Declaration of Kevin Minor, # <u>8</u> Exhibit 1 to Declaration of Kevin Minor, # <u>9</u> Exhibit 2 to Declaration of Kevin Minor, # <u>10</u> Exhibit 3 to Declaration of Kevin Minor, # <u>11</u> Exhibit 4 to Declaration of Kevin Minor, # <u>12</u> Exhibit 5 to Declaration of Kevin Minor, # <u>13</u> Exhibit D, Declaration of Michael Ward, # <u>14</u> Exhibit 1 to Declaration of Michael Ward, # <u>15</u> Exhibit 2 to Declaration of Michael Ward, # <u>16</u> Exhibit 3 to Declaration of Michael Ward, # <u>17</u> Exhibit 4 to Declaration of Michael Ward, # <u>18</u> Exhibit E, Deposition of Michael Ward, # <u>19</u> Exhibit F, Part 1, Jensen Opinion, # <u>20</u> Exhibit F, Part 2, # <u>21</u> Exhibit F, Part 3, # <u>22</u> Exhibit G, Vaughn Opinion, # <u>23</u> Exhibit H, Custer Opinion, # <u>24</u> Exhibit I, Walker Opinion, # <u>25</u> Exhibit J, Bozner Opinion, # <u>26</u> Exhibit K, Breitigan Opinion, # <u>27</u> Exhibit L, New York 10–3 Assoc. Opinion)(Nadel, Darren) Modified on 10/20/2009 to seal attachments 363–9, 363–11, 363–12, and 363–13, pursuant to the Minute Order of 10/20/09 (ebs, ). (Entered: 09/17/2009)
09/21/2009	364	MINUTE ORDER granting <u>361</u> Motion for Leave to file oversized brief. By Jane Trexler, Judicial Assistant, Deputy Clerk, on behalf of Judge Walker D. Miller on 9/21/09.TEXT ONLY ENTRY – NO DOCUMENT ATTACHED (wdmsec, ) (Entered: 09/21/2009)
09/22/2009	<u>365</u>	SUPPLEMENT/AMENDMENT to <u>362</u> Renewed MOTION for Summary Judgment <i>on ADEA Claim</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit)(Nadel, Darren) (Entered: 09/22/2009)
10/06/2009	<u>366</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>362</u> Renewed MOTION for Summary Judgment <i>on ADEA Claim</i> by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 10/06/2009)
10/07/2009	367	MEMORANDUM regarding <u>366</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>362</u> Renewed MOTION for Summary Judgment <i>on ADEA Claim</i> filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. Motion referred to Magistrate Judge Craig B. Shaffer by Judge Walker D. Miller on 10/7/09. TEXT ONLY ENTRY – NO DOCUMENT ATTACHED(wdmsec, ) Modified on 10/8/2009 to delete duplicate text generated by the system (ebs, ). (Entered: 10/07/2009)
10/07/2009	<u>368</u>	NOTICE re <u>363</u> Brief in Support of Motion, <i>Relodging of Exhibit C to Memorandum in Support of Renewed Motion for Summary Judgment on ADEA Claim and Request to Remove or Seal Previous Exhibit C</i> by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Exhibit C, # <u>2</u> Exhibit 1 to Exhibit C (Redacted), # <u>3</u> Exhibit 2 to Exhibit C, # <u>4</u> Exhibit 3 to Exhibit C (Redacted), # <u>5</u> Exhibit 4 to Exhibit C, # <u>6</u> Exhibit 5)(Nadel, Darren) Modified on 10/8/2009 to delete duplicate text generated by the system (ebs, ). (Entered: 10/07/2009)
10/08/2009	369	MINUTE ORDER granting <u>366</u> Motion for Extension of Time to File Response and Reply Briefs to <u>362</u> Renewed MOTION for Summary Judgment <i>on ADEA Claim</i> . ORDERED that a response shall be filed no later than 11/2/09 and a reply is due no later than 11/17/09, by Magistrate Judge Craig B. Shaffer on 10/8/09. TEXT ONLY ENTRY – NO DOCUMENT ATTACHED (cbssec) Modified on 10/9/2009 to correct the signature date (ebs, ). (Entered: 10/08/2009)

10/08/2009	370	Docket Annotation re: <u>368</u> Notice (Other). Counsel has been asked to draft and file a Motion to Seal the previous, unredacted version of Exhibit C. Text only entry – no document attached (ebs, ) (Entered: 10/08/2009)
10/08/2009	<u>371</u>	Unopposed MOTION to Seal by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 10/08/2009)
10/08/2009	372	MEMORANDUM regarding <u>371</u> Unopposed MOTION to Seal filed by El Paso Corporation, El Paso Pension Plan.Motions referred to Magistrate Judge Craig B. Shaffer by Judge Walker D. Miller on 10/8/09. TEXT ONLY ENTRY – NO DOCUMENT ATTACHED(wdmsec, ) (Entered: 10/08/2009)
10/09/2009	373	Docket Annotation re: 369 Order on Motion for Extension of Time to File Response/Reply. This docket entry was modified to correct the signature date. Text only entry – no document attached (ebs, ) (Entered: 10/09/2009)
10/20/2009	<u>374</u>	MINUTE ORDER granting <u>371</u> Defendants' Unopposed Motion to Seal. Clerk shall seal the documents attached with Exhibit C to the Declaration of Kevin Minor (doc. no. 363–7) as set forth in this Minute Order, by Magistrate Judge Craig B. Shaffer on 10/20/09.(ebs, ) (Entered: 10/20/2009)
11/02/2009	<u>375</u>	Unopposed MOTION for Leave to File Excess Pages by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Bruce, Stephen) (Entered: 11/02/2009)
11/02/2009	<u>376</u>	BRIEF in Opposition to <u>362</u> Renewed MOTION for Summary Judgment <i>on ADEA Claim</i> filed by Plaintiffs Wayne Tomlinson, Alice Ballesteros, Gary Muckelroy. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Rule 56(f) Affidavit of Stephen R. Bruce, # <u>26</u> Supplemental Declaration of Claude Poulin, F.S.A., # <u>27</u> Declaration of Michael A. Crumley)(Bruce, Stephen) (Entered: 11/02/2009)
11/02/2009	377	MINUTE ORDER granting <u>375</u> plaintiffs' Motion for Leave to File Excess Pages. By Jane Trexler, Judicial Assistant/Deputy Clerk, on behalf of Judge Walker D. Miller on 11/2/09.TEXT ONLY ENTRY – NO DOCUMENT ATTACHED (wdmsec, ) (Entered: 11/02/2009)
11/16/2009	<u>378</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>362</u> Renewed MOTION for Summary Judgment <i>on ADEA Claim</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 11/16/2009)
11/16/2009	379	MEMORANDUM regarding <u>378</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>362</u> Renewed MOTION for Summary Judgment <i>on ADEA Claim</i> filed by El Paso Corporation, El Paso Pension Plan.Motions referred to Magistrate Judge Craig B. Shaffer by Judge Walker D. Miller on 11/16/09. TEXT ONLY ENTRY – NO DOCUMENT ATTACHED(wdmsec, ) (Entered: 11/16/2009)
11/17/2009	380	MINUTE ORDER granting <u>378</u> Motion for Extension of Time to File Response/Reply. The deadline for Defendants to file a reply in support of their renewed <u>362</u> motion for summary judgment on ADEA claim is extended to on or before 12/4/09, by Magistrate Judge Craig B. Shaffer on 11/17/09.TEXT ONLY ENTRY – NO DOCUMENT ATTACHED (cbssec) (Entered: 11/17/2009)
12/04/2009	<u>381</u>	Unopposed MOTION for Leave to File Excess Pages by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 12/04/2009)
12/04/2009	<u>382</u>	REPLY to Response to <u>362</u> Renewed MOTION for Summary Judgment <i>on ADEA Claim</i> filed by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 12/04/2009)
12/04/2009	<u>383</u>	ORDER granting <u>381</u> Defendants' Unopposed Motion for Leave to Exceed Page Limitations in connection with their reply brief in support of their Motion for Summary Judgment, by Judge Walker D. Miller on 12/4/09.(ebs, ) (Entered: 12/04/2009)

		12/04/2009)
03/10/2010	384	MINUTE ORDER <i>sua sponte</i> setting a Telephonic Status Conference for 3/18/2010 at 10:45 a.m. <i>Counsel shall coordinate to create a conference call among themselves before contacting the court (303.844.2117) at the scheduled time</i> , by Magistrate Judge Craig B. Shaffer on 3/10/10. TEXT ONLY ENTRY – NO DOCUMENT ATTACHED(cbssec) (Entered: 03/10/2010)
03/12/2010	<u>385</u>	Unopposed MOTION to Continue <i>Telephonic Status Conference</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Nadel, Darren) (Entered: 03/12/2010)
03/12/2010	386	MEMORANDUM regarding <u>385</u> Unopposed MOTION to Continue <i>Telephonic Status Conference</i> filed by El Paso Corporation, El Paso Pension Plan.Motions referred to Magistrate Judge Craig B. Shaffer by Judge Walker D. Miller on 3/12/10. TEXT ONLY ENTRY – NO DOCUMENT ATTACHED(wdmsec, ) (Entered: 03/12/2010)
03/12/2010	387	MINUTE ORDER granting <u>385</u> Motion to Continue and resetting Telephonic Status Conference to 3/29/2010 at 10:45 a.m. <i>Counsel shall coordinate to create a conference call among themselves before contacting the court (303.844.2117) at the scheduled time</i> , by Magistrate Judge Craig B. Shaffer on 3/12/10.TEXT ONLY ENTRY – NO DOCUMENT ATTACHED (cbssec) (Entered: 03/12/2010)
03/29/2010	<u>388</u>	NOTICE of Entry of Appearance by Robyn A. Kashiwa on behalf of Mercer Human Resource Consulting, Inc. (Kashiwa, Robyn) (Entered: 03/29/2010)
03/29/2010	<u>389</u>	COURTROOM MINUTES – Minute Entry for proceedings held before Magistrate Judge Craig B. Shaffer: A Telephonic Status Conference was held on 3/29/2010. ORDERED: The court will not set any discovery deadlines or any further discovery dates. Counsel are required to put together a telephone conference call and contact chambers within 72 hours of a ruling on the pending Renewed Motion for Summary Judgment, # <u>362</u> , or alternatively, within 72 hours of a decision by the Tenth Circuit on the case that Mr. Bruce is handling, whichever is the earliest. By Magistrate Judge Craig B. Shaffer. (Court Reporter FTR – Linda Kahoe) (cbscd) (Entered: 03/29/2010)
06/18/2010	<u>390</u>	NOTICE re <u>362</u> Renewed MOTION for Summary Judgment <i>on ADEA Claim (Supplemental Authority)</i> by Defendants El Paso Corporation, El Paso Pension Plan (Attachments: # <u>1</u> Exhibit A)(Nadel, Darren) (Entered: 06/18/2010)
06/22/2010	<u>391</u>	RESPONSE to <u>390</u> Notice (Other) <i>Supplemental Authority</i> by Plaintiffs Alice Ballesteros, Gary Muckelroy, Wayne Tomlinson. (Bruce, Stephen) (Entered: 06/22/2010)
07/26/2010	<u>392</u>	ORDER granting <u>362</u> Renewed Motion for Summary Judgment on ADEA Claim. Defendants may have their costs, by Judge Walker D. Miller on 7/26/10.(ebs, ) (Entered: 07/26/2010)
08/06/2010	<u>393</u>	AMENDED JUDGMENT by Clerk pursuant to the <u>392</u> Order on Renewed Motion for Summary Judgment. Judgment is entered against Plaintiffs and in favor of Defendants on Claim I. Judgment is entered in favor of Defendants and against Plaintiffs. Defendants are awarded appropriate costs upon the filing of a Bill of Costs with the Clerk within fourteen days of entry of judgment. El Paso Corporation and El Paso Pension Plan are awarded additional allowable costs. This cause of action and case are dismissed, by Clerk on 8/6/10. (ebs, ) (Entered: 08/06/2010)
08/19/2010	<u>394</u>	MOTION to Bifurcate <i>Attorney's Fees Process and For an Extension of Time to File Motion for Attorney's Fees</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Nadel, Darren) (Entered: 08/19/2010)
08/20/2010	<u>395</u>	Proposed Bill of Costs by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C Part 1, # <u>4</u> Exhibit C Part 2, # <u>5</u> Exhibit C Part 3, # <u>6</u> Exhibit C Part 4, # <u>7</u> Exhibit C Part 5, # <u>8</u> Exhibit C Part 6, # <u>9</u> Exhibit C Part 7, # <u>10</u> Exhibit D, # <u>11</u> Exhibit E Part 1, # <u>12</u> Exhibit E Part 2, # <u>13</u> Exhibit E Part 3, # <u>14</u> Exhibit F, # <u>15</u> Exhibit G, # <u>16</u> Exhibit H, # <u>17</u>

		Exhibit I Part 1, # <u>18</u> Exhibit I Part 2, # <u>19</u> Exhibit J)(Nadel, Darren) (Entered: 08/20/2010)
08/23/2010	<u>396</u>	BRIEF in Opposition to <u>394</u> MOTION to Bifurcate <i>Attorney's Fees Process and For an Extension of Time to File Motion for Attorney's Fees</i> filed by Plaintiffs Alice Ballesteros, Gary Muckelroy, Wayne Tomlinson. (Attachments: # <u>1</u> Exhibit 1)(Bruce, Stephen) (Entered: 08/23/2010)
08/24/2010	<u>397</u>	NOTICE OF APPEAL as to <u>392</u> Order on Motion for Summary Judgment, <u>393</u> Clerk's Judgment,, <u>311</u> Order on Motion for Reconsideration,, Order on Motion for Partial Summary Judgment,, <u>108</u> Order on Motion for Leave,,,,,,,,, Order on Motion to Dismiss,,,, Order on Motion for More Definite Statement,,,, Order on Motion to Strike,,, <u>213</u> Order on Motion to Certify Class,,,, Order on Motion for Judgment,,,, Order on Motion for Leave,,,, Order on Motion to Strike,,, by Plaintiffs Alice Ballesteros, Gary Muckelroy, Wayne Tomlinson (Bruce, Stephen) (Entered: 08/24/2010)
08/25/2010	<u>398</u>	LETTER Transmitting Notice of Appeal to all counsel advising of the transmittal of the <u>397</u> Notice of Appeal, filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy to the U.S. Court of Appeals. (Retained counsel; Fee paid) (Attachments: # <u>1</u> Docket Sheet, # <u>2</u> Preliminary Record including Notice of Appeal, # <u>3</u> Receipt)(bjrsl, ) (Entered: 08/25/2010)
08/25/2010	<u>399</u>	ORDER granting <u>394</u> Defendants' Motion to Bifurcate Attorney's Fees Process and for an Extension of Time to File Motion for Attorney's Fees, upon the condition that their motion include a good faith estimate of the dollar amount of their claim. Defendants may file their motion for attorney fees by 8/27/10, by Judge Walker D. Miller on 8/25/10.(ebs, ) (Entered: 08/25/2010)
08/25/2010	<u>400</u>	USCA Case Number 10-1385 for <u>397</u> Notice of Appeal, filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. (bjrsl, ) (Entered: 08/25/2010)
08/27/2010	<u>401</u>	MOTION for Attorney Fees by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Proposed Order (PDF Only))(Nadel, Darren) (Entered: 08/27/2010)
09/08/2010	<u>402</u>	TRANSCRIPT ORDER FORM re <u>397</u> Notice of Appeal,, by Plaintiffs Alice Ballesteros, Gary Muckelroy, Wayne Tomlinson (Bruce, Stephen) (Entered: 09/08/2010)
09/09/2010	<u>403</u>	LETTER TO USCA and all counsel certifying the record is complete as to <u>397</u> Notice of Appeal,, filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. ( Appeal No. 10-1385) (gmssl, ) (Entered: 09/09/2010)
09/15/2010	<u>404</u>	Unopposed MOTION to Withdraw as Attorney ( <i>Counsel of Record</i> ) by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Randall, Melissa) (Entered: 09/15/2010)
09/17/2010	<u>405</u>	NOTICE of <i>Rescheduled Bill of Costs Hearing</i> by Defendants El Paso Corporation, El Paso Pension Plan (Nadel, Darren) (Entered: 09/17/2010)
09/17/2010	<u>406</u>	BRIEF in Opposition to <u>401</u> MOTION for Attorney Fees filed by Plaintiffs Alice Ballesteros, Gary Muckelroy, Wayne Tomlinson. (Attachments: # <u>1</u> Affidavit of Wayne Tomlinson, # <u>2</u> Affidavit of Alice Ballesteros, # <u>3</u> Affidavit of Gary Muckelroy, # <u>4</u> Affidavit of Stephen Bruce)(Bruce, Stephen) (Entered: 09/17/2010)
09/21/2010	<u>407</u>	TRANSCRIPT ORDER FORM re <u>397</u> Notice of Appeal,, by Defendants El Paso Corporation, El Paso Pension Plan (Nadel, Darren) (Entered: 09/21/2010)
09/21/2010	<u>408</u>	TRANSCRIPT ORDER FORM re <u>397</u> Notice of Appeal,, by Defendants El Paso Corporation, El Paso Pension Plan (Nadel, Darren) (Entered: 09/21/2010)
09/22/2010	<u>409</u>	LETTER TO USCA and all counsel as to <u>397</u> Notice of Appeal, filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. The record in this case was certified as complete on September 9, 2010 and was certified prematurely as the appellees have ordered transcripts for the appeal. District court will re-certify the record when the transcripts have been filed. ( Appeal No. 10-1385) (bjrsl, ) (Entered: 09/22/2010)

09/27/2010	<u>410</u>	TRANSCRIPT of Telephone Hearing held on 5-19-09 before Judge Miller. Pages: 1-11.  <b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b>  Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 12/30/2010. (Spitler, Kara) (Entered: 09/27/2010)
09/27/2010	<u>411</u>	CERTIFICATE OF COMPLIANCE <i>WITH D.C.COLO.LCivR 54.1</i> by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Exhibit A)(Nadel, Darren) (Entered: 09/27/2010)
09/27/2010	<u>415</u>	REPORTER TRANSCRIPT ORDER FORM filed by Kara Spitler; Transcripts ordered 05/19/09 re: <u>397</u> Notice of Appeal. Transcript due by 10/4/2010. (bjrsl, ) (Entered: 09/30/2010)
09/28/2010	<u>412</u>	Costs Taxed in amount of \$ 5,228.25 against Plaintiffs. (ebs, ) (Entered: 09/28/2010)
09/29/2010	<u>413</u>	MOTION for Extension of Time to ( <i>File Motion to Review Costs Awarded by Clerk of the Court</i> ) by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Nadel, Darren) (Entered: 09/29/2010)
09/30/2010	<u>414</u>	MINUTE ORDER granting <u>413</u> Motion for Extension of Time. The Defendants' shall file a Motion to Review Costs Awarded by the Clerk on or before October 13, 2010, by Judge Walker D. Miller on 9/30/2010.(gkram) (Entered: 09/30/2010)
10/01/2010	<u>416</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>401</u> MOTION for Attorney Fees by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Nadel, Darren) (Entered: 10/01/2010)
10/04/2010	<u>417</u>	MINUTE ORDER granting <u>416</u> Motion for Extension of Time to File Reply. Defendants shall file their Reply in Support of Motion for Attorney Fees on or before October 7, 2010. by Judge Walker D. Miller on 10/4/10.(gkram) Modified on 10/5/2010 to create linkage (ebs, ). (Entered: 10/04/2010)
10/07/2010	<u>418</u>	REPORTER TRANSCRIPT ORDER FORM filed by Adrienne Whitlow; Transcripts ordered See order form re: <u>397</u> Notice of Appeal by El Paso Corp. Transcript due by 11/4/2010. (bjrsl, ) (Entered: 10/07/2010)
10/07/2010	<u>419</u>	REPLY to Response to <u>401</u> MOTION for Attorney Fees filed by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 10/07/2010)
10/13/2010	<u>420</u>	MOTION for Costs by Defendants El Paso Corporation, El Paso Pension Plan. (Attachments: # <u>1</u> Declaration of Darren E. Nadel, # <u>2</u> Exhibit Exhibit 1 to Declaration of Darren E. Nadel, # <u>3</u> Exhibit Exhibit 2 to Declaration of Darren E. Nadel, # <u>4</u> Exhibit Exhibit 3 to Declaration of Darren E. Nadel, # <u>5</u> Exhibit Exhibit 4 to Declaration of Darren E. Nadel, # <u>6</u> Exhibit Exhibit 5 to Declaration of Darren E. Nadel, # <u>7</u> Exhibit Exhibit 6 to Declaration of Darren E. Nadel)(Nadel, Darren) (Entered: 10/13/2010)
11/02/2010	<u>421</u>	Minute ORDER granting <u>404</u> Motion to Withdraw as Attorney by Judge Walker D. Miller on 11/02/10.(jjh, ) (Entered: 11/02/2010)
11/02/2010	<u>422</u>	BRIEF in Opposition to <u>420</u> MOTION for Costs filed by Plaintiffs Alice Ballesteros, Gary Muckelroy, Wayne Tomlinson. (Bruce, Stephen) (Entered: 11/02/2010)

11/05/2010	<u>423</u>	<p>TRANSCRIPT of Scheduling Conference held on 5–27–05 before Magistrate Judge Schlatter. Pages: 1–14. Prepared by: Adrienne Whitlow.</p> <p><b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 2/7/2011. (Whitlow, Adrienne) Modified on 11/8/2010 to correct date of hearing in the text of the entry. (bjrsl, ). (Entered: 11/05/2010)</p>
11/05/2010	<u>424</u>	<p>TRANSCRIPT of Status Conference held on 9–11–06 before Magistrate Judge Hegarty. Pages: 1–17. Prepared by: Adrienne Whitlow.</p> <p><b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 2/7/2011. (Whitlow, Adrienne) (Entered: 11/05/2010)</p>
11/05/2010	<u>425</u>	<p>TRANSCRIPT of Scheduling Conference held on 10–25–06 before Magistrate Judge Hegarty. Pages: 1–23. Prepared by: Adrienne Whitlow. &lt;P&gt; <b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b> &lt;/P&gt; Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 2/7/2011. (Whitlow, Adrienne) (Entered: 11/05/2010)</p>
11/05/2010	<u>426</u>	<p>TRANSCRIPT of Status Conference held on 11–30–07 before Magistrate Judge Shaffer. Pages: 1–16. Prepared by: Adrienne Whitlow. &lt;P&gt; <b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b> &lt;/P&gt; Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 2/7/2011. (Whitlow, Adrienne) (Entered: 11/05/2010)</p>
11/05/2010	<u>427</u>	<p>TRANSCRIPT of Status Conference held on 12–17–07 before Magistrate Judge Shaffer. Pages: 1–15. Prepared by: Adrienne Whitlow.</p> <p><b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed</b></p>

		<p><b>within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 2/7/2011. (Whitlow, Adrienne) Modified to adjust paragraphs on 2/15/2011 (lam, ). (Entered: 11/05/2010)</p>
11/05/2010	<u>428</u>	<p>TRANSCRIPT of Status Conference held on 1-23-08 before Magistrate Judge Shaffer. Pages: 1-30. Prepared by: Adrienne Whitlow.</p> <p><b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 2/7/2011. (Whitlow, Adrienne) Modified on 11/8/2010 to correct the number of pages of the document (ebs, ). (Entered: 11/05/2010)</p>
11/05/2010	<u>429</u>	<p>TRANSCRIPT of Discovery Conference held on 1-29-08 before Magistrate Judge Shaffer. Pages: 1-12. Prepared by: Adrienne Whitlow.</p> <p><b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 2/7/2011. (Whitlow, Adrienne) Modified on 11/8/2010 to correct the number of pages of the document (ebs, ). (Entered: 11/05/2010)</p>
11/05/2010	<u>430</u>	<p>TRANSCRIPT of Discovery Conference held on 3-12-08 before Magistrate Judge Shaffer. Pages: 1-42. Prepared by: Adrienne Whitlow.</p> <p><b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 2/7/2011. (Whitlow, Adrienne) Modified on 2/15/2011 to adjust paragraphs (lam, ). (Entered: 11/05/2010)</p>
11/05/2010	<u>431</u>	<p>TRANSCRIPT of Motions Hearing held on 7-10-08 before Magistrate Judge Shaffer. Pages: 1-18. Prepared by: Adrienne Whitlow.</p>

		<p><b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 2/7/2011. (Whitlow, Adrienne) Modified on 11/8/2010 to edit text to correct the type of hearing held (ebs, ). (Entered: 11/05/2010)</p>
11/05/2010	<u>432</u>	<p>TRANSCRIPT of Status Conference held on 3–29–10 before Magistrate Judge Shaffer. Pages: 1–14. Prepared by: Adrienne Whitlow.</p> <p><b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b></p> <p>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 2/7/2011. (Whitlow, Adrienne) Modified to adjust paragraphs on 2/15/2011 (lam, ). (Entered: 11/05/2010)</p>
11/08/2010	<u>433</u>	<p>LETTER TO USCA and all counsel certifying the record is complete as to <u>397</u> Notice of Appeal, filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy. All appeal transcripts ordered by the appellee's have been filed. ( Appeal No. 10–1385) (bjrsl, ) (Entered: 11/08/2010)</p>
11/19/2010	<u>434</u>	<p>REPLY to Response to <u>420</u> MOTION for Costs (<i>In Support of Taxation</i>) filed by Defendants El Paso Corporation, El Paso Pension Plan. (Nadel, Darren) (Entered: 11/19/2010)</p>
03/30/2011	<u>435</u>	<p>ORDER denying <u>401</u> Defendants' Motion for Attorneys' Fees, by Judge Walker D. Miller on 3/30/11.(mnf, ) (Entered: 03/30/2011)</p>
06/09/2011	<u>436</u>	<p>ORDER granting in part and denying in part <u>420</u> El Paso's Motion for Taxation of Costs. It is granted with respect to Defendants' request for costs incurred in connection with the deposition transcripts of Claude Poulin (\$1,447.65) and Robert Bardwell (\$1,328.00). Accordingly, the costs awarded are increased from \$5,220.25 to \$7,995.90. The motion is otherwise denied. By Judge Walker D. Miller on 6/9/11.(mnf, ) (Entered: 06/09/2011)</p>
08/11/2011	<u>437</u>	<p>USCA Opinion and Judgment as to <u>397</u> Notice of Appeal,, filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy: The judgment of the district court is affirmed. (USCA Case No. 10–1385) (This document is not the Mandate) (Attachments: # <u>1</u> USCA Judgment)(bjrsl, ) (Entered: 08/12/2011)</p>
10/03/2011	<u>438</u>	<p>MANDATE of USCA as to <u>437</u> USCA Order/Opinion/Judgment, <u>397</u> Notice of Appeal, filed by Alice Ballesteros, Wayne Tomlinson, Gary Muckelroy : (USCA Case No. 10–1385) (gmssl, ) (Entered: 10/03/2011)</p>
12/27/2011	<u>439</u>	<p>Letter from U.S. Court of Appeals regarding Petition for Writ of Certiorari which was filed on 12/22/11 re <u>397</u> Notice of Appeal by Wayne Tomlinson; assigned Supreme Court No. 11–795 ( Appeal No. 10–1385) (bjrsl, ) (Entered: 12/28/2011)</p>
02/28/2012	<u>440</u>	<p>Letter from U.S. Court of Appeals regarding Petition for Writ of Certiorari which was denied re <u>397</u> Notice of Appeal by Wayne Tomlinson; assigned Supreme Court No. 11–795 ( Appeal No. 10–1385) (bjrsl, ) (Entered: 02/29/2012)</p>