

**U.S. District Court
District of Colorado (Denver)
CIVIL DOCKET FOR CASE #: 1:99-cv-00795-EWN**

Gooden v. Timpte, Inc., et al
Assigned to: Judge Edward W. Nottingham
Demand: \$0
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 04/22/1999
Date Terminated: 10/30/2000
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Joseph A. Gooden

represented by **Amy Farr Robertson**
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V.

Defendant

Timpte, Inc.

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Defendant

represented by

Harold Crabtree
and Does 1 through 10
 TERMINATED: 12/01/1999

Darin L. Mackender
 (See above for address)
 TERMINATED: 12/01/1999
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Date Filed	#	Docket Text
04/22/1999	1	COMPLAINT (Summons(es) issued); jury demand (former empl) (Entered: 04/23/1999)
04/22/1999		FILING FEE PAID on 4/22/99 in the amount of \$ 150.00, receipt # 205154. (former empl) (Entered: 04/23/1999)
05/12/1999	2	RETURN OF SERVICE of Summons and Complaint upon / by defendant Timpte, Inc. on 4/28/99 giving to Douglas Walliser, Registered Agent (former empl) (Entered: 05/13/1999)
05/12/1999	3	RETURN OF SERVICE of Summons and Complaint upon / by defendant Harold Crabtree on 5/5/99 (former empl) (Entered: 05/13/1999)
05/17/1999	4	ORDER R16,stat,stmt,pt,pto Cases referred to Magistrate Judge O. E. Schlatter and General Case Mgt Order by Judge Edward W. Nottingham (cc: to counsel) (former empl) (Entered: 05/18/1999)
05/17/1999	5	ORDER FOR RULE 16 CONFERENCE by Magistrate Judge O. E. Schlatter ; Rule 16 conference set for 8:45 7/29/99 (cc: all counsel) (former empl) (Entered: 05/18/1999)
05/18/1999	6	ANSWER by defendant complaint [1-1] (former empl) (Entered: 05/19/1999)
05/21/1999	7	MEMORANDUM re: service by Judge Edward W. Nottingham (former empl) (Entered: 05/24/1999)
05/21/1999	8	CERTIFICATE of Service by plaintiff Joseph A. Gooden (former empl) (Entered: 05/24/1999)
07/29/1999	9	COURTROOM MINUTES by Magistrate Judge O. E. Schlatter ; discovery ddl set 12/7/99 ; settlement conf set for 9:00 10/14/99 ; pretrial conf set for 9:15 3/7/00 ; entry date : 7/29/99 Court Reporter: Tape OES 99-26 (gms) (Entered: 07/29/1999)
07/29/1999	10	SCHEDULING ORDER Magistrate Judge O. E. Schlatter ; rule 16 conf held 8:45 7/29/99 (cc: all counsel) (gms) (Entered: 07/29/1999)
07/29/1999	11	MINUTE ORDER : by Magistrate Judge O. E. Schlatter. Stmt conf set 10/14/99 at 9:00 and pretrial conf set 3/7/00 at 9:15 a.m. (cc: all counsel) ; entry date : 7/29/99 (gms) (Entered: 07/29/1999)
07/29/1999	12	Stipulated PROTECTIVE ORDER by Magistrate Judge O. E. Schlatter re: discovery material (cc: all counsel) (gms) (Entered: 07/29/1999)
08/05/1999	13	Unopposed MOTION by plaintiff to amend schedule order (gms) (Entered: 08/06/1999)
08/09/1999	14	Unopposed MOTION by plaintiff for leave to amend cmp (gms) (Entered: 08/10/1999)
08/09/1999		Tendered Amended Complaint submitted by plaintiff re: motion for leave to amend cmp [14-1] (gms) (Entered: 08/10/1999)
08/10/1999	15	MEMORANDUM by Judge Edward W. Nottingham referring to Magistrate Judge O. E. Schlatter the motion for leave to amend cmp [14-1] (gms) (Entered: 08/10/1999)

		08/12/1999)
08/18/1999	16	ORDER by Magistrate Judge O. E. Schlatter granting motion for leave to amend cmp [14-1] and amd cmp tendered is accepted (cc: all counsel) ; entry date : 8/20/99 (former empl) (Entered: 08/20/1999)
08/18/1999	17	AMENDED COMPLAINT [1-1] by plaintiff Joseph A. Gooden; jury demand (former empl) (Entered: 08/20/1999)
08/19/1999	18	Unopposed MOTION by plaintiff to extend time to respond to disc to 8/26/99 (former empl) (Entered: 08/20/1999)
08/19/1999	19	ORDER by Judge Edward W. Nottingham granting motion to amend schedule order [13-1] ; disp mtn ddl set 1/24/00 (cc: all counsel) ; entry date : 8/20/99 (former empl) (Entered: 08/20/1999)
08/20/1999	20	MEMORANDUM by Judge Edward W. Nottingham referring to Magistrate Judge O. E. Schlatter the motion to extend time to respond to disc to 8/26/99 [18-1] (former empl) (Entered: 08/23/1999)
08/20/1999	21	MINUTE ORDER : by Magistrate Judge O. E. Schlatter granting motion to extend time to respond to disc to 8/26/99 [18-1] (cc: all counsel) ; entry date : 8/23/99 (former empl) (Entered: 08/23/1999)
08/27/1999	22	Unopposed MOTION by defendant to extend time to respond to discovery to 9/7/99 (former empl) (Entered: 08/30/1999)
08/30/1999	23	MEMORANDUM by Judge Edward W. Nottingham referring to Magistrate Judge O. E. Schlatter the motion to extend time to respond to discovery to 9/7/99 [22-1] (former empl) (Entered: 08/31/1999)
08/31/1999	24	MINUTE ORDER : by Magistrate Judge O. E. Schlatter granting motion to extend time to respond to discovery to 9/7/99 [22-1] (cc: all counsel) ; entry date : 9/1/99 (former empl) (Entered: 09/01/1999)
10/26/1999	25	Unopposed MOTION by plaintiff to amend paragraph 7(d)(1) of sched order (former empl) (Entered: 10/27/1999)
10/27/1999	26	MEMORANDUM by Judge Edward W. Nottingham referring to Magistrate Judge O. E. Schlatter the motion to amend paragraph 7(d)(1) of sched order [25-1] (former empl) (Entered: 10/28/1999)
10/28/1999	27	MINUTE ORDER by Magistrate Judge O. E. Schlatter granting motion to amend paragraph 7(d)(1) of sched order [25-1] regarding [10-1] scheduling order (cc: all counsel) ; entry date : 10/29/99 (former empl) (Entered: 10/29/1999)
11/10/1999	28	MOTION by defendant Timpte, Inc. to extend time to 11/17/99 to respond to 2nd set of requests for production (former empl) (Entered: 11/10/1999)
11/10/1999	29	MEMORANDUM by Judge Edward W. Nottingham referring to Magistrate Judge O. E. Schlatter the motion to extend time to 11/17/99 to respond to 2nd set of requests for production [28-1] (former empl) (Entered: 11/15/1999)
11/15/1999	30	MINUTE ORDER by Magistrate Judge O. E. Schlatter granting motion to extend time to 11/17/99 to respond to 2nd set of requests for production [28-1] (cc: all counsel) ; entry date : 11/16/99 (former empl) (Entered: 11/16/1999)
11/29/1999	31	Stipulation (MOTION) by plaintiff Joseph A. Gooden, defendant Harold Crabtree to dismiss (former empl) (Entered: 11/30/1999)
12/01/1999	32	ORDER by Judge Edward W. Nottingham upon stip to dismiss [31-1], dismissing action w/prej as to party Harold Crabtree each party to pay own costs & fees (cc: all counsel) ; entry date : 12/2/99 (former empl) (Entered: 12/02/1999)
12/09/1999	33	Stipulated MOTION by plaintiff, defendant to amend sched order (former empl) (Entered: 12/10/1999)
12/10/1999	34	MEMORANDUM by Judge Edward W. Nottingham referring to Magistrate Judge O. E. Schlatter the motion to amend sched order [33-1] (former empl) (Entered: 12/13/1999)

12/20/1999	35	ORDER by Magistrate Judge O. E. Schlatter granting motion to amend sched order [33-1] regarding [10-1] scheduling order as set forth; discovery ddl extended to 2/4/00 (cc: all counsel) ; entry : 12/21/99 (former empl) (Entered: 12/21/1999)
01/11/2000	36	Unopposed MOTION by defendant to amend sched order &cert of compliance (former empl) (Entered: 01/12/2000)
01/11/2000	37	MEMORANDUM by Judge Edward W. Nottingham referring to Magistrate Judge O. E. Schlatter the motion to amend sched order [36-1] (former empl) (Entered: 01/12/2000)
01/13/2000	38	MINUTE ORDER by Magistrate Judge O. E. Schlatter granting motion to amend [36-1] [10-1] scheduling order on rep of counsel that it shall not affect dispo motion ddl (cc: all counsel) ; entry date : 1/14/00 (former empl) (Entered: 01/14/2000)
01/24/2000	39	MOTION by defendant Timpte, Inc. for summary judgment (former empl) (Entered: 01/25/2000)
01/24/2000	40	BRIEF by defendant Timpte, Inc. in support of motion for summary judgment [39-1] (former empl) (Entered: 01/25/2000)
01/24/2000	41	MOTION by plaintiff Joseph A. Gooden for partial summary judgment as to liability on racial harassment claims (former empl) (Entered: 01/25/2000)
01/24/2000	42	BRIEF by plaintiff Joseph A. Gooden in support of motion for partial summary judgment as to liability on racial harassment claims [41-1] (former empl) (Entered: 01/25/2000)
01/24/2000	43	APPENDIX filed by plaintiff to motion for partial summary judgment as to liability on racial harassment claims [41-1] (PLACED IN EXHIBIT ROOM) (former empl) (Entered: 01/25/2000)
02/10/2000	44	NOTICE of Change of Address of Fox &Robertson by plaintiff (former empl) (Entered: 02/11/2000)
02/16/2000	45	RESPONSE by defendant to motion for partial summary judgment as to liability on racial harassment claims [41-1] (former empl) (Entered: 02/17/2000)
02/16/2000	46	BRIEF by plaintiff in opposition to motion for summary judgment [39-1] (former empl) (Entered: 02/17/2000)
02/16/2000	47	APPENDIX filed by plaintiff to opposition brief [46-1], to motion for summary judgment [39-1] (PLACED IN EXHIBIT ROOM; TAB 20 PLACED UNDER SEAL PURSUANT TO PROTECTIVE ORDER) (former empl) (Entered: 02/17/2000)
02/22/2000	48	MOTION by plaintiff to exceed page limitation or for leave to file amd brief in opposition to motion for summary jgm (former empl) (Entered: 02/23/2000)
02/22/2000		Tendered Amended Brief in Opposition to Motion for Summary Jgm submitted by plaintiff pending ruling on motion to exceed page limitation or for leave to file amd brief [48-1] (former empl) (Entered: 02/23/2000)
02/24/2000	49	RESPONSE by defendant to motion to exceed page limitation or for leave to file amd brief [48-1] (former empl) (Entered: 02/25/2000)
02/28/2000	50	MOTION by defendant to amend sched order &cert of compliance (former empl) (Entered: 02/29/2000)
02/28/2000	51	REPLY Brief by plaintiff in support of motion for partial summary judgment as to liability on racial harassment claims [41-1] (former empl) (Entered: 02/29/2000)
02/29/2000	52	MINUTE ORDER by Magistrate Judge O. E. Schlatter pretrial conf reset for 9:30 3/14/00 (cc: all counsel) ; entry date : 3/1/00 (former empl) (Entered: 03/01/2000)
02/29/2000	53	Opposition (RESPONSE) by plaintiff to motion to amend sched order [50-1] (former empl) (Entered: 03/01/2000)

02/29/2000	54	MEMORANDUM by Judge Edward W. Nottingham referring to Magistrate Judge O. E. Schlatter the motion to amend sched order [50-1] (former empl) (Entered: 03/02/2000)
03/01/2000	55	MINUTE ORDER by Magistrate Judge O. E. Schlatter regarding [50-1] motion to amend sched order, response due 3/10/00 (cc: all counsel) ; entry date : 3/2/00 (former empl) (Entered: 03/02/2000)
03/03/2000	56	ORDER by Magistrate Judge O. E. Schlatter granting motion to amend sched order [50-1] regarding [10-1] scheduling order; defts have to 3/21/00 to designate new expert; plf has to 4/15/00 to depose the new expert (cc: all counsel) ; entry date : 3/6/00 (former empl) (Entered: 03/06/2000)
03/10/2000	57	OBJECTIONS to 3/3/00 order granting defts motion to amend sched order by plaintiff concerning order [56-1] (former empl) (Entered: 03/13/2000)
03/14/2000	58	COURTROOM MINUTES OF (PRELIM) PRETRIAL CONF by Magistrate Judge O. E. Schlatter ; pretrial conf held 3/14/00 ; proposed order executed; entry date : 3/15/00 Reporter: Tape 00-7 (former empl) (Entered: 03/15/2000)
03/14/2000	59	Preliminary PRE-TRIAL ORDER by Magistrate Judge O. E. Schlatter (cc: all counsel) (former empl) (Entered: 03/15/2000)
03/21/2000	60	MINUTE ORDER : by Judge Edward W. Nottingham ; motions hrg/in court hrg set for 10:00 5/5/00 (cc: all counsel) ; entry date : 3/22/00 (gms) (Entered: 03/22/2000)
03/22/2000	61	RESPONSE by defendant Timpte, Inc. to Pltf's OBJECTIONS to 3/3/00 order [57-1], order [56-1] (gms) (Entered: 03/23/2000)
03/23/2000	62	ORDER by Magistrate Judge O. E. Schlatter. Pltf shall have 2 wks following issuance of order by Judge Nottingham resolving matters raised in pltf's objections to order granting motion to amend sched order [56-1] to depose deft's newly designated expert. regarding [10-1] schedule order (cc: all counsel) ; entry date : 3/24/00 (gms) (Entered: 03/24/2000)
03/23/2000	65	MINUTE ORDER : by Judge Edward W. Nottingham granting pltf's motion to exceed page limitation or for leave to file amd brief [48-1]. Hrg on objections to [56-1] order granting motion to amd sched order set for 4/27/00 at 6:30 (cc: all counsel) ; entry date : 3/27/00 (gms) (Entered: 03/27/2000)
03/23/2000	66	AMENDMENT by plaintiff to brief oppos to deft's motion for sum jgm [46-1] (gms) (Entered: 03/27/2000)
03/24/2000	63	MOTION by plaintiff for leave to file reply in support of obj to order granting deft's motion to amend sched order (gms) (Entered: 03/24/2000)
03/24/2000		Tendered Reply in Support of Obj to Order Granting Deft's Motion to Amend Sched Order submitted by plaintiff re: motion for leave to file reply in support of obj to order granting deft's motion to amend sched order [63-1] (gms) (Entered: 03/24/2000)
03/24/2000	64	Unopposed MOTION by defendant Timpte, Inc. to continue motions hrg set 5/5/00 & cert of compliance (gms) (Entered: 03/27/2000)
03/27/2000	67	MINUTE ORDER : by Judge Edward W. Nottingham granting motion to continue motions hrg set 5/5/00 [64-1] ; in court hrg reset for 9:30 6/23/00 (cc: all counsel) ; entry date : 3/28/00 (gms) (Entered: 03/28/2000)
03/27/2000	68	MINUTE ORDER : by Judge Edward W. Nottingham granting pltf's motion for leave to file reply in support of obj to order granting deft's motion to amend sched order [63-1] (cc: all counsel) ; entry date : 3/28/00 (gms) (Entered: 03/28/2000)
03/27/2000	69	REPLY by plaintiff Joseph A. Gooden in support of objection [57-1] to order granting deft's motion to amend sched order [56-1] (gms) (Entered: 03/29/2000)
04/03/2000	70	REPLY by defendant in support of motion & brief for summary judgment [39-1] (former empl) (Entered: 04/05/2000)

04/18/2000	71	MINUTE ORDER : by Judge Edward W. Nottingham. Hrg set for 4/27/00 at 6:30 a.m. is vacated. (cc: all counsel) ; entry date : 4/19/00 (gms) (Entered: 04/19/2000)
05/30/2000	72	ORDER by Judge Edward W. Nottingham: [57-1] OBJECTIONS to 3/3/00 order, [57-2] objections are OVERRULED; [56-1] order shall stand as order of court (cc: all counsel) ; entry date : 5/31/00 (former empl) (Entered: 05/31/2000)
06/20/2000	73	MOTION by plaintiff for leave to submit recently decided authority in opp to deft's motion for sum jgm (authority is attached) (gms) Modified on 06/22/2000 (Entered: 06/22/2000)
06/23/2000	74	COURTROOM MINUTES by Judge Edward W. Nottingham ; in court hrg held 6/23/00 granting in part and denying in part deft's motion for summary judgment [39-1]. Granted as to ethnic intimidation claim & denied in all other respects. ; entry date : 6/27/00 Court Reporter: Therese Lindblom (gms) (Entered: 06/27/2000)
06/29/2000	75	ORDER & MEMORANDUM OF DECISION by Judge Edward W. Nottingham; GRANTING defts motion for summary judgment [39-1] as to 3rd claim for ethnic intimidation & DENYING the motion in all other respects; GRANTING motion to exceed page limitation or for leave to file amd brief [48-1] to extent it seeks leave to file amd response & DENYING the motion in all other respects; DENYING plfs motion for partial summary judgment as to liability on racial harassment claims [41-1]; DISMISSING claims against unidentified defts; DISMISSING 4th claim; final pretrial conf set for 2:30 8/4/00 (cc: all counsel) ; entry date : 6/29/00 (former empl) (Entered: 06/29/2000)
06/29/2000	76	MINUTE ORDER : by Judge Edward W. Nottingham granting motion for leave to submit recently decided authority in opp to deft's motion for sum jgm [73-1] (cc: all counsel) ; entry date : 6/29/00 (former empl) (Entered: 06/29/2000)
08/04/2000	77	MINUTE ORDER by Magistrate Judge O. E. Schlatter settlement conf set for 10:30 10/5/00 (cc: all counsel) ; entry date : 8/7/00 (former empl) (Entered: 08/07/2000)
08/04/2000	78	COURTROOM MINUTES OF FINAL PRETRIAL CONF by Judge Edward W. Nottingham: pretrial conf held 8/4/00; new pto to be submitted w/in 30 days ; final pto NOT APPROVED; parties to schedule stlmt conf w/mag judge; entry date : 8/10/00 Court Reporter: Therese Lindblom (former empl) (Entered: 08/10/2000)
08/18/2000	79	MINUTE ORDER by Magistrate Judge O. E. Schlatter settlement conf reset for 1:30 9/28/00 (cc: all counsel) ; entry date : 8/21/00 (former empl) (Entered: 08/21/2000)
09/14/2000	80	MINUTE ORDER by Magistrate Judge O. E. Schlatter settlement conf reset for 3:00 11/29/00 (cc: all counsel) ; entry date : 9/15/00 (former empl) (Entered: 09/15/2000)
10/27/2000	81	MINUTE ORDER by Magistrate Judge O. E. Schlatter: case has settled; stlmt / dsm papers ddl set for 11/13/00 (cc: all counsel) ; entry : 10/31/00 (former empl) (Entered: 10/31/2000)
10/30/2000	82	Stipulation (NOTICE) For DISMISSAL OF CASE W/PREJ by plaintiff Joseph A. Gooden, defendant Timpte, Inc. entry date : 10/31/00 (former empl) (Entered: 10/31/2000)