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U.S. District Court
District of Idaho (LIVE Database)Version 6.1 (Boise – Southern)
CIVIL DOCKET FOR CASE #: 1:05–cv–00329–LMB

Equal Employment Opportunity Commission v. Burrito Shoppe LLC, The
Assigned to: Judge Larry M. Boyle
Referred to: Judge Mikel H. Williams (Settlement)
Cause: 28:451 Employment Discrimination

Date Filed: 08/19/2005
Date Terminated: 08/11/2008
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

Equal Employment Opportunity Commission

represented by **Carmen Flores**
US EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
909 First Ave #400
Seattle, WA 98104–1061
(206) 220–6883
Fax: 1–206–220–6911
Email: carmen.flores@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kathryn Olson
EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
909 First Ave #400
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TERMINATED: 05/24/2007
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ATTORNEY TO BE NOTICED

V.

Intervenor Plaintiff

Idaho Human Rights Commission
on behalf of Audrey Powers

represented by **Jo–Ann Leigh Bowen**
AFFILIATE ATTY. incorrect email
address tem.
PO Box 83720
Boise, ID 83720–0040
(208) 334–2873
Fax: 1–208–334–2664
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LEAD ATTORNEY

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LEAD ATTORNEY

Carmen Flores
(See above for address)
ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

V.

Defendant

Burrito Shoppe LLC, The
doing business as
Squeezers Giant Burgers

represented by **D Blair Clark**
Law Offices of D. Blair Clark PLLC
1513 Tyrell Lane, Suite 130
Boise, ID 83706
208-475-2050
Fax: 208-475-2055
Email: dbc@dbclarklaw.com
TERMINATED: 11/02/2010
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Shane O Bengoechea
BENGOCHEA LAW OFFICE
671 E Riverpark Ln #130
Boise, ID 83706
(208) 424-8332
Email: Shane@soblawyers.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Allied Foodservice Inc
doing business as
Squeezers Giant Burgers

represented by **D Blair Clark**
(See above for address)
TERMINATED: 11/02/2010
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Intervenor Defendant

Burrito Shoppe LLC, The

represented by **Shane O Bengoechea**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/19/2005	<u>1</u>	COMPLAINT against Burrito Shoppe LLC, The Summons Issued, Jury trial demand, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Cover Sheet)(ja,) (Entered: 08/22/2005)

08/22/2005	<u>2</u>	NOTICE of Assignment to Magistrate Judge and Requirement for Consent sent to counsel for Equal Employment Opportunity Commission re <u>1</u> Complaint (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
08/24/2005	<u>3</u>	MOTION to Intervene by Idaho Human Rights Commission. Responses due by 9/19/2005 (Attachments: # <u>1</u> pleading setting forth claim for which intervention is sought# <u>2</u> Memorandum in Support)(Bowen, Jo-Ann)
08/24/2005	<u>29</u>	Intervenor COMPLAINT , filed by Idaho Human Rights Commission.(ja) (Entered: 02/01/2006)
08/25/2005	<u>4</u>	ORDER re: scheduling conference. The parties shall confer and discuss the items contained in the Litigation Plan within 60 days of the date of this Order . Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
09/20/2005	<u>5</u>	MOTION TO STRIKE 12(f) AND MOTION for Judgment on the Pleadings 12(b)(2), (4) and (5) by The Burrito Shoppe LLC. Responses due by 10/14/2005 (Christian, Ronald) Modified on 9/21/2005 to edit text (ja,).
09/20/2005	<u>6</u>	First MOTION for Judgment on the Pleadings <i>Memorandum in Support</i> by Burrito Shoppe LLC, The. Responses due by 10/14/2005 (Christian, Ronald)
09/21/2005		CORRECTIVE ENTRY – The entry docket number <u>6</u> First MOTION for Judgment on the Pleadings <i>Memorandum in Support</i> filed by The Burrito Shoppe LLC, was filed using the incorrect docket event. It is a Memorandum in support and not a motion. The filing party shall re-submit their correct filing using "Memorandum in support" located under Responses and Replies. (ja,)
09/21/2005	<u>7</u>	MEMORANDUM in Support re <u>5</u> First MOTION for Judgment on the Pleadings <i>and to Strike</i> filed by Burrito Shoppe LLC, The. (Christian, Ronald)
10/07/2005	<u>8</u>	MOTION to strike 12(f) and Motion for Judgment on the Pleadings 12(b)(2),(4) and (5) by Burrito Shoppe LLC, The. Responses due by 10/31/2005 (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Affidavit of Shane O. Bengoechea)(ja,)
10/11/2005	<u>9</u>	MEMORANDUM in Opposition re <u>5</u> First MOTION for Judgment on the Pleadings filed by Idaho Human Rights Commission. (Bowen, Jo-Ann)
10/11/2005	<u>10</u>	AFFIDAVIT OF SERVICE– as to Burrito Shoppe LLC. Corporate service served on def 9/21/2005, answer due 10/11/2005. (ja,) (Entered: 10/12/2005)
10/11/2005	<u>11</u>	DECLARATION OF Attempted Service of Summons in a civil Action; Complaint–Summons Returned Unexecuted as to Burrito Shoppe LLC. (ja,) (Entered: 10/12/2005)
10/13/2005	<u>12</u>	CONSENT filed. (ja,) (Entered: 10/14/2005)
10/18/2005	<u>13</u>	NOTICE of Assignment to Magistrate Judge and Requirement for Consent sent to counsel for Idaho Human Rights Commission, The Burrito Shoppe LLC (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
10/21/2005	<u>14</u>	RESPONSIVE MEMORANDUM to Idaho Human Rights Commission's Memorandum in opposition to def's Motion to Strike and Motion for Judgment on the Pleadings 12(b)(2), (4) and (5) re <u>5</u> (Attachments: # <u>1</u> Affidavit of Shane O. Bengoechea)(ja,) (Entered: 10/24/2005)
10/26/2005	<u>15</u>	MEMORANDUM in Opposition re <u>5</u> First MOTION for Judgment on the Pleadings (<i>second memorandum</i>) filed by Idaho Human Rights Commission. (Attachments: # <u>1</u> Affidavit of Leslie R. Goddard# <u>2</u> Exhibit attachment to the Affidavit of Leslie R. Goddard (sealed due to personal identifiers) # <u>3</u> Exhibit attachment to the Affidavit of Leslie R. Goddard)(Bowen, Jo-Ann) Modified on 10/31/2005 to seal exhibit attachment (ja,).
10/26/2005	<u>16</u>	NOTICE TO WITHDRAW Motion to Strike 12(f) and Motion for judgment on the pleadings 12(b)(2), (4) and (5) re: <u>8</u> filed by defendant (ja,) (Entered: 10/27/2005)

10/26/2005	17	CONSENT filed. (ja,) (Entered: 10/28/2005)
10/31/2005		CORRECTIVE ENTRY – The entry docket number <u>15</u> Memorandum in Opposition to Motion, filed by Idaho Human Rights Commission, was filed with personal identifiers in one of the exhibits, which has been sealed. In the future please seal or redact any document with personal identifiers such as social security numbers or dates of birth. (ja,)
11/03/2005	<u>18</u>	NOTICE of Appearance by Carmen Flores on behalf of Equal Employment Opportunity Commission (Flores, Carmen)
11/03/2005	<u>19</u>	SCHEDULING CONFERENCE FORM – LITIGATION PLAN by Equal Employment Opportunity Commission. (Flores, Carmen)
11/07/2005	<u>20</u>	ANSWER to Complaint by The Burrito Shoppe LLC.(ja,)
11/09/2005	<u>21</u>	NOTICE of unavailable dates by Equal Employment Opportunity Commission (dkh,) (Entered: 11/10/2005)
12/15/2005	<u>22</u>	NOTICE of Assignment to Magistrate Judge and Requirement for Consent sent to counsel for Idaho Human Rights Commission, Equal Employment Opportunity Commission, Burrito Shoppe LLC, The re <u>1</u> Complaint (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
12/21/2005	23	CONSENT filed. (dkh,) (Entered: 12/22/2005)
01/03/2006	<u>24</u>	ALL PARTIES HAVE CONSENTED TO PROCEED BEFORE A US MAGISTRATE JUDGE. (ja) (Entered: 01/04/2006)
01/06/2006	25	DOCKET TEXT NOTICE of Hearing (no attachment): A Telephone Scheduling Conference is set for 2/2/2006 10:45 AM (Mountain Time) in Boise, ID before Honorable Larry M. Boyle. Ms. Flores shall initiate the Conference Call with all parties on the line to Judge Boyle's Chambers at(208)334–1495.Note: Parties shall review Doc.19 (stipulated Litigation Plan to determine if dates need adjusted; as it was filed in November). Should the parties file a more up–dated Lit Plan, they shall use the form provided in Doc. 4 and this shall be filed by 1/26/06. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lc,)
01/09/2006	<u>26</u>	NOTICE of Hearing on Motions <u>5</u> First MOTION for Judgment on the Pleadings, <u>3</u> MOTION to Intervene: Motion Hearing set for 2/14/2006 01:30 PM (Mtn. Time) in Boise, ID before Honorable Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lc,)
02/01/2006	<u>27</u>	STIPULATION <i>Regarding Pending Motions (docket numbers 3 and 5)</i> by Idaho Human Rights Commission. (Bowen, Jo–Ann)
02/01/2006	<u>28</u>	ORDER granting <u>3</u> Motion to Intervene, denying <u>5</u> Motion to Strike and Motion for Judgment on the Pleadings . Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
02/02/2006	<u>30</u>	ERRATA by Intervenor Plaintiff Idaho Human Rights Commission <i>Signed Complaint filed to replace unsigned attachment to Motion to Intervene.</i> (Bowen, Jo–Ann)
02/06/2006	31	DOCKET TEXT ENTRY NOTICE of Hearing: This Hearing shall be a Telephone Scheduling Conference set for 2/14/2006 01:30 PM (Mountain Time) in Boise, ID before Honorable Larry M. Boyle. Ms. Flores shall initiate the Conference Call with all parties on the line to Judge Boyle's Chambers at (208) 334–1495. Parties shall review the previously entered Litigation Plan (Doc. 19) and may amend should those proposed dates be out–dated. Counsel shall submit a new one no later than February 10, 2006, if necessary and use the correct Form– Refer to Doc. 4.(caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lc,)
02/10/2006	<u>32</u>	STIPULATION <i>Litigation Plan</i> by Equal Employment Opportunity Commission. (Flores, Carmen)

02/14/2006	<u>33</u>	Minute Entry for proceedings held before Judge Larry M. Boyle : Scheduling Conference held on 2/14/2006. Order forthcoming. (Court Reporter P. Fulwyler.) (al,) (Entered: 02/15/2006)
02/15/2006	<u>34</u>	CASE MANAGEMENT ORDER REFERRING to Magistrate Judge Mikel H. Williams for Settlement Amended Pleadings due by 5/13/2006. Discovery due by 6/30/2006. Motions due by 8/30/2006.. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by dkh,) (Entered: 02/16/2006)
03/01/2006	<u>35</u>	Defendant's ANSWER to Intervenor Complaint of Plaintiff by Burrito Shoppe LLC, The. (Attachments: # <u>1</u>)(Bengoechea, Shane)
03/16/2006	<u>36</u>	WAIVER OF SERVICE Returned Executed by Idaho Human Rights Commission. Burrito Shoppe LLC, The waiver sent on 2/2/2006, answer due 4/3/2006. (jg,)
04/03/2006	<u>37</u>	First MOTION to Dismiss <i>Or In The Alternative Motion For Summary Judgment</i> by Burrito Shoppe LLC, The. Responses due by 4/27/2006 (Bengoechea, Shane)
04/03/2006	<u>38</u>	First MOTION for Extension of Time to File Answer to Plaintiff's First Set of Interrogatories and Requests of Documents by Burrito Shoppe LLC, The. Responses due by 4/27/2006 (Bengoechea, Shane)
04/03/2006	<u>39</u>	MEMORANDUM/BRIEF filed by Burrito Shoppe LLC, The <i>Memorandum In Support To Defendant's Motion To Dismiss Or In The Alternative Motion For Summary Judgment</i> . (Bengoechea, Shane)
04/03/2006	<u>40</u>	AFFIDAVIT filed by Burrito Shoppe LLC, The <i>Affidavit of David W. Hammons</i> . (Bengoechea, Shane)
04/27/2006	<u>41</u>	MEMORANDUM in Opposition re <u>38</u> First MOTION for Extension of Time to File Answer to Plaintiff's First Set of Interrogatories and Requests of Documents filed by Idaho Human Rights Commission, Equal Employment Opportunity Commission. Replies due by 5/11/2006. (Attachments: # <u>1</u> Affidavit # <u>2</u> CERTIFICATE OF SERVICE)(Flores, Carmen)
04/27/2006	<u>42</u>	MEMORANDUM in Opposition re <u>37</u> First MOTION to Dismiss <i>Or In The Alternative Motion For Summary Judgment</i> filed by Idaho Human Rights Commission, Equal Employment Opportunity Commission. Replies due by 5/11/2006. (Attachments: # <u>1</u> Affidavit # <u>2</u> CERTIFICATE OF SERVICE)(Flores, Carmen)
04/27/2006	<u>43</u>	First MOTION to Amend/Correct <i>COMPLAINTS AND JOIN SECOND DEFENDANT</i> by Idaho Human Rights Commission, Equal Employment Opportunity Commission. Responses due by 5/22/2006 (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> EEOC'S AMENDED COMPLAINT# <u>3</u> IDAHO HUMAN RIGHTS' AMENDED COMPLAINT# <u>4</u> CERTIFICATE OF SERVICE)(Flores, Carmen)
05/05/2006	44	DOCKET ENTRY NOTICE VACATING SETTLEMENT CONFERENCE: Take notice the settlement conference is hereby vacated. Counsel to contact the court for a new conference date following the decision on the motion to amend (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by al,) Modified on 5/5/2006 to add docket text (al,).
05/11/2006	<u>45</u>	AFFIDAVIT in Support re <u>38</u> First MOTION for Extension of Time to File Answer to Plaintiff's First Set of Interrogatories and Requests of Documents Affidavit of Shane O. Bengoechea In Support Of Response To Plaintiff's Memorandum In Opposition To Defendant's Motion For Enlargement Of Time filed by Burrito Shoppe LLC, The. (Bengoechea, Shane)
05/11/2006	<u>46</u>	AFFIDAVIT in Support by James Dorsey re <u>38</u> First MOTION for Extension of Time to File Answer to Plaintiff's First Set of Interrogatories and Requests of Documents Affidavit of James Dorsey In Support Of Response To Plaintiff's Memorandum In Opposition To Defendant's Motion For Enlargement Of Time filed by Burrito Shoppe LLC, The. (Bengoechea, Shane)
05/11/2006	<u>47</u>	REPLY to Response to Motion re <u>38</u> First MOTION for Extension of Time to File Answer to Plaintiff's First Set of Interrogatories and Requests of Documents Response To Plaintiff's Memorandum In Opposition To Defendant's Motion For Enlargement Of Time filed by Burrito Shoppe LLC, The. (Bengoechea, Shane)

05/11/2006	<u>48</u>	REPLY to Response to Motion re <u>37</u> First MOTION to Dismiss <i>Or In The Alternative Motion For Summary Judgment</i> , <u>43</u> First MOTION to Amend/Correct <i>COMPLAINTS AND JOIN SECOND DEFENDANT Defendant's Response To Plaintiffs' Opposition To Defendant's Motion To Dismiss, F.R.C.P, Rule 12(b)(6) Or In The Alternative Motion For Summary Judgment, F.R.C.P. Rule 56 And Objection To Plaintiffs' Motion For F.R.C.P. 56(f) Continuance</i> filed by Burrrito Shoppe LLC, The. (Bengoechea, Shane)
05/11/2006	<u>49</u>	AFFIDAVIT of James Dorsey re <u>41</u> Memorandum in Opposition to Motion, filed by Burrrito Shoppe LLC, The. (Bengoechea, Shane)
05/12/2006		CORRECTIVE ENTRY – The entry docket number <u>49</u> Affidavit filed by The Burrrito Shoppe LLC is a duplicate entry. Please disregard it. (ja)
05/12/2006		CORRECTIVE ENTRY – The entry docket numbers <u>45</u> Affidavit in Support of Motion, <u>47</u> Reply to Response to Motion, <u>46</u> Affidavit in Support of Motion filed by The Burrrito Shoppe LLC were filed with the incorrect PDF image attached. The filing party shall re-submit their filings with the correct PDF images. (ja)
05/12/2006	<u>50</u>	AFFIDAVIT in Opposition re <u>38</u> First MOTION for Extension of Time to File Answer to Plaintiff's First Set of Interrogatories and Requests of Documents Affidavit of James Dorsey In Support Of Response To Plaintiff's Memorandum In Opposition To Defendant's Motion For Enlargement Of Time filed by Burrrito Shoppe LLC, The. Replies due by 5/26/2006. (Bengoechea, Shane) Modified on 5/15/2006 to edit(ja,).
05/12/2006	<u>51</u>	AFFIDAVIT in Opposition by Shane O. Bengoechea re <u>38</u> First MOTION for Extension of Time to File Answer to Plaintiff's First Set of Interrogatories and Requests of Documents Affidavit of Shane O. Bengoechea In Support Of Response To Plaintiff's Memorandum In Opposition To Defendant's Motion For Enlargement Of Time filed by Burrrito Shoppe LLC, The. Replies due by 5/26/2006. (Bengoechea, Shane)
05/12/2006	<u>52</u>	RESPONSE to Motion re <u>38</u> First MOTION for Extension of Time to File Answer to Plaintiff's First Set of Interrogatories and Requests of Documents Response To Plaintiff's Memorandum In Opposition To Defendant's Motion For Enlargement Of Time filed by Burrrito Shoppe LLC, The. Replies due by 5/26/2006. (Bengoechea, Shane)
05/12/2006	<u>53</u>	REPLY to Response to Motion re <u>38</u> First MOTION for Extension of Time to File Answer to Plaintiff's First Set of Interrogatories and Requests of Documents Response To Plaintiff's Memorandum In Opposition filed by Burrrito Shoppe LLC, The. (Bengoechea, Shane)
05/15/2006		CORRECTIVE ENTRY – The entry docket number <u>52</u> Response to Motion filed by The Burrrito Shoppe LLC was filed in error. Please disregard it. (ja)
05/17/2006	<u>54</u>	REPLY to Response to Motion re <u>43</u> First MOTION to Amend/Correct <i>COMPLAINTS AND JOIN SECOND DEFENDANT Defendant's Objection To Plaintiffs Motion To Amend Complaints And Join Second Defendant</i> filed by Burrrito Shoppe LLC, The. (Bengoechea, Shane)
05/17/2006	<u>55</u>	RESPONSE to Motion re <u>43</u> First MOTION to Amend/Correct <i>COMPLAINTS AND JOIN SECOND DEFENDANT Defendant's Objection To Plaintiffs Motion To Amend Complaints And Join Second Defendant</i> filed by Burrrito Shoppe LLC, The. Replies due by 6/1/2006. (Bengoechea, Shane)
05/18/2006		CORRECTIVE ENTRY – The entry docket number <u>54</u> Reply to Response to Motion, filed by The Burrrito Shoppe LLC, was filed in error. Please disregard it. (ja)
06/01/2006	<u>56</u>	REPLY to Response to Motion re <u>43</u> First MOTION to Amend/Correct <i>COMPLAINTS AND JOIN SECOND DEFENDANT</i> filed by Idaho Human Rights Commission, Equal Employment Opportunity Commission. (Bowen, Jo-Ann)
08/08/2006	<u>57</u>	ORDER denying <u>37</u> Motion to Dismiss or in the alternative, Motion for Summary Judgment, denying <u>38</u> Motion for Enlargement of Time to Answer . Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)

08/29/2006	<u>58</u>	ORDER granting <u>43</u> Motion to Amend Complaints and Join Second Defendant. Plaintiffs shall serve and file their amended complaints by 9/15/06. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
09/11/2006	<u>59</u>	AMENDED COMPLAINT against Allied Foodservice Inc. dba Squeezers, filed by Idaho Human Rights Commission.(Bowen, Jo-Ann)
09/12/2006	<u>60</u>	AMENDED COMPLAINT <i>Jury Trial Demand</i> against all defendants, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Summons Amended Summons in a Civil Action)(Flores, Carmen)
09/13/2006		Summons Issued as to Allied Foodservice Inc. (ja,)
10/25/2006	<u>61</u>	SCHEDULING CONFERENCE FORM – LITIGATION PLAN by Equal Employment Opportunity Commission. (Flores, Carmen)
10/26/2006	<u>62</u>	Amended SUMMONS Returned Executed as to Allied Foodservice Inc, Burrito Shoppe LLC, The. (ja,) (Entered: 10/27/2006)
10/31/2006	<u>63</u>	ANSWER to Amended Complaint <i>Jury Trial Demand</i> by Burrito Shoppe LLC, The.(Bengoechea, Shane)
10/31/2006	<u>64</u>	<i>Defendants'</i> ANSWER to Amended Complaint <i>Of Plaintiff By Intervention And Demand For Jury Trial</i> by Burrito Shoppe LLC, The.(Bengoechea, Shane)
11/03/2006	<u>65</u>	DOCKET ENTRY NOTICE of Hearing: Settlement Conference set for 11/28/2006 09:30 AM in Boise, ID before Honorable Mikel H. Williams. Settlement Conference Order forthcoming. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by al,)
11/03/2006	<u>66</u>	SETTLEMENT CONFERENCE ORDER re <u>65</u> Notice of Hearing, Shall take place on Tuesday 11/28/06 @9:30am. Signed by Judge Mikel H. Williams. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jg,) (Entered: 11/06/2006)
11/28/2006	<u>67</u>	<i>Minute Entry for proceedings held before Judge Mikel H. Williams : Settlement Conference held on 11/28/2006. This case did not settle however parties continue negotiations and will notify the Court. (al,) (Entered: 12/04/2006)</i>
01/10/2007	<u>68</u>	NOTICE of TELEPHONE Hearing: Status Conference set for 2/12/2007 11:00 AM (Mtn. Time)in Boise, ID before Honorable Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lc,)
01/10/2007	<u>69</u>	NOTICE of Hearing: Telephonic Status Conference set for 1/31/2007 01:00 PM in Boise, ID before Honorable Larry M. Boyle. (Bowen, Jo-Ann)
01/31/2007	<u>70</u>	AMENDED CASE MANAGEMENT ORDER re <u>61</u> Telephone status conference held 1/31/07. Amended Pleadings due by 3/12/2007. Discovery due by 5/15/2007. Joinder of Parties due by 3/12/2007. Dispositive Motions due by 6/30/2007. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
01/31/2007	<u>71</u>	<i>Minute Entry for proceedings held before Judge Larry M. Boyle : Status Conference held on 1/31/2007. Pltff.'s Oral Motion to Extend Dead-lines: GRANTED. (Court Reporter Vicki Jones.) (lc,)</i>
02/23/2007	<u>72</u>	MOTION to require depositions to be taken in Boise, Idaho by Burrito Shoppe LLC, The. Responses due by 3/19/2007 (Bengoechea, Shane) Modified on 2/26/2007 to edit text (ja).
02/23/2007	<u>73</u>	MOTION by Burrito Shoppe LLC, The. Responses due by 3/19/2007 (Bengoechea, Shane)
02/23/2007	<u>74</u>	MOTION re <u>72</u> MOTION by Burrito Shoppe LLC, The. Responses due by 3/19/2007 (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit)(Bengoechea, Shane)

02/26/2007		CORRECTIVE ENTRY – The entry docket number <u>74</u> MOTION re <u>72</u> MOTION filed by Burrito Shoppe LLC, The, and <u>73</u> MOTION filed by Burrito Shoppe LLC, were filed using the incorrect docket event as they are not motions. The filing party shall re-submit their filings using "Affidavit" located under Other Documents and use the text box to describe the document. (ja)
02/27/2007	<u>75</u>	AFFIDAVIT filed by Burrito Shoppe LLC, The <i>Affidavit Of James Dorsey In Support Of Motion To Require Depositions To Be Taken In Boise, Idaho.</i> (Bengoechea, Shane)
02/27/2007	<u>76</u>	AFFIDAVIT filed by Burrito Shoppe LLC, The <i>Affidavit Of Shane O. Bengoechea In Support Of Motion To Require Depositions To Be Taken In Boise, Idaho.</i> (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit)(Bengoechea, Shane)
03/21/2007	<u>77</u>	MOTION to Quash Subpoena and Motion for Protective Order by Nampa Police Department. Responses due by 4/16/2007 (Attachments: # <u>1</u> # <u>2</u>)(Moore, Michael) Modified on 3/23/2007 to edit text (ja,).
03/30/2007	<u>78</u>	NOTICE of Voluntary Dismissal by Burrrito Shoppe LLC, The (Bengoechea, Shane)
04/02/2007		CORRECTIVE ENTRY – The entry docket number <u>78</u> Notice of Voluntary Dismissal filed by Burrito Shoppe LLC, The was filed incorrectly in this case. This appears to be a notice to withdraw a motion. This could be found under "Other Documents" then "Notice (Other)" then text in the motion to withdraw depositions. The filing party shall re-submit their correct filing. (dks,)
04/03/2007	<u>79</u>	NOTICE by Burrrito Shoppe LLC, The <i>Notice To Withdraw Defendants' Motion To Require Depositions To Be Taken In Boise, Idaho</i> (Bengoechea, Shane)
04/12/2007	<u>80</u>	MEMORANDUM in Response re <u>77</u> MOTION to Quash <i>Subpoena and Motion for Protective Order</i> filed by Burrrito Shoppe LLC, The. Replies due by 4/26/2007. (Bengoechea, Shane) .
04/16/2007	<u>81</u>	MEMORANDUM in Opposition re <u>77</u> MOTION for Protective Order MOTION to Quash <i>Subpoena</i> filed by Idaho Human Rights Commission. Replies due by 4/30/2007. (Attachments: # <u>1</u> Affidavit of Counsel, Jo-Ann L. Bowen# <u>2</u> Exhibit A to Affidavit)(Bowen, Jo-Ann)
04/24/2007	<u>82</u>	REPLY to Response to Motion re <u>77</u> MOTION to Quash Subpoena and Motion for Protective Order filed by Nampa Police Department. (Moore, Michael)
04/26/2007	<u>83</u>	Expert Witness Disclosure filed by Defendant Burrrito Shoppe LLC, The. (Bengoechea, Shane)
05/01/2007	<u>84</u>	MOTION to Strike <u>81</u> Memorandum in Opposition to Motion, <i>Affidavit Of Counsel Jo-Ann L. Bowen</i> by Burrrito Shoppe LLC, The. Responses due by 5/25/2007 (Bengoechea, Shane)
05/01/2007	<u>85</u>	MEMORANDUM in Support re <u>84</u> MOTION to Strike <u>81</u> Memorandum in Opposition to Motion, <i>Affidavit Of Counsel Jo-Ann L. Bowen Memorandum In Support Of Motion To Strike</i> filed by Burrrito Shoppe LLC, The. (Bengoechea, Shane)
05/14/2007	<u>86</u>	MOTION for Extension of Time to Complete Discovery (<i>certain discovery matters</i>) by Idaho Human Rights Commission, Equal Employment Opportunity Commission. Responses due by 6/7/2007 (Attachments: # <u>1</u> Memorandum in Support)(Bowen, Jo-Ann)
05/17/2007	<u>87</u>	ORDER granting <u>77</u> Motion for Protective Order; granting <u>77</u> Motion to Quash; finding as moot <u>84</u> Motion to Strike. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
05/22/2007	<u>88</u>	PROTECTIVE ORDER. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
05/24/2007	<u>89</u>	NOTICE of Substitution – Attorney John Freeman Stanley and Carmen Flores for Equal Employment Opportunity Commission added. Attorney Kathryn Olson terminated. (Flores, Carmen)

06/07/2007	<u>90</u>	RESPONSE to Motion re <u>86</u> MOTION for Extension of Time to Complete Discovery (<i>certain discovery matters</i>) Defendants' Response To Plaintiffs' Motion To Extend The Discovery Deadline For Certain Discovery Matters filed by Burrito Shoppe LLC, The. Replies due by 6/25/2007. (Bengoechea, Shane)
06/07/2007	<u>91</u>	AFFIDAVIT of Shane O. Bengoechea re <u>90</u> Response to Motion, filed by Burrito Shoppe LLC, The Affidavit of Shane O. Bengoechea In Support Of Defendants' Response To Plaintiffs' Motion To Extend The Discovery Deadline For Certain Discovery Matters. (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 # <u>7</u> Exhibit)(Bengoechea, Shane)
06/08/2007	<u>92</u>	MOTION for Disclosure <i>Motion To Limit Disclosure Of Records, Documents And Things Pursuant To Protective Order And Order</i> by Burrito Shoppe LLC, The. Responses due by 7/5/2007 (Bengoechea, Shane)
06/08/2007	<u>93</u>	AFFIDAVIT of Shane O. Bengoechea filed by Burrito Shoppe LLC, The <i>In Support Of Motion To Limit Disclosure Of Records, Documents And Things Pursuant To Protective Order And Order</i> . (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit)(Bengoechea, Shane)
06/11/2007	<u>94</u>	MOTION for Sanctions <i>Motion For Order Compelling Disclosure Or Discovery And Sanctions</i> by Burrito Shoppe LLC, The. Responses due by 7/9/2007 (Bengoechea, Shane)
06/11/2007	<u>95</u>	MEMORANDUM in Support re <u>94</u> MOTION for Sanctions <i>Motion For Order Compelling Disclosure Or Discovery And Sanctions</i> filed by Burrito Shoppe LLC, The. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Bengoechea, Shane)
06/11/2007	<u>96</u>	AFFIDAVIT in Support re <u>94</u> MOTION for Sanctions <i>Motion For Order Compelling Disclosure Or Discovery And Sanctions Affidavit of Shane O. Bengoechea</i> filed by Burrito Shoppe LLC, The. (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)(Bengoechea, Shane)
06/25/2007	<u>97</u>	REPLY to Response to Motion re <u>86</u> MOTION for Extension of Time to Complete Discovery (<i>certain discovery matters</i>) filed by Idaho Human Rights Commission, Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Affidavit of Counsel, Jo-Ann Bowen# <u>2</u> Exhibit A - Dorsey deposition# <u>3</u> Exhibit B - Korn deposition# <u>4</u> Exhibit C - Quintana deposition# <u>5</u> Exhibit D - Muchow deposition# <u>6</u> Exhibit E - Email correspondence# <u>7</u> Affidavit of Counsel, Michael Moore)(Bowen, Jo-Ann)
06/25/2007	<u>98</u>	RESPONSE to Motion re <u>94</u> MOTION for Sanctions <i>Motion For Order Compelling Disclosure Or Discovery And Sanctions **SAME AS DOCKET # 97**</i> filed by Idaho Human Rights Commission, Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Affidavit of Counsel, Jo-Ann Bowen# <u>2</u> Exhibit A - Dorsey deposition# <u>3</u> Exhibit B - Korn deposition# <u>4</u> Exhibit C - Quintana deposition# <u>5</u> Exhibit D - Muchow deposition# <u>6</u> Exhibit E - Email correspondence# <u>7</u> Affidavit of Counsel, Michael Moore)(Bowen, Jo-Ann)
07/05/2007	<u>99</u>	MEMORANDUM in Opposition re <u>92</u> MOTION for Disclosure <i>Motion To Limit Disclosure Of Records, Documents And Things Pursuant To Protective Order And Order</i> filed by Idaho Human Rights Commission, Equal Employment Opportunity Commission. Replies due by 7/23/2007. (Attachments: # <u>1</u> Exhibit A, Affidavit of Director Goddard# <u>2</u> Exhibit B, Deposition of James Dorsey# <u>3</u> Exhibit C, Deposition of Joseph Belanger# <u>4</u> Exhibit D, Deposition of Juan Quintana# <u>5</u> Exhibit E, Deposition of Pamela Parks)(Bowen, Jo-Ann)
07/09/2007	<u>100</u>	RESPONSE re <u>97</u> Reply to Response to Motion, filed by Burrito Shoppe LLC, The <i>Response To Plaintiffs' Reply Memorandum In Support Of Motion To Extend (Dkt. #86) and Memorandum In Opposition To Motion To Compel (Dkt., #94)</i> . (Bengoechea, Shane)
07/09/2007	<u>101</u>	AFFIDAVIT of Shane O. Bengoechea re <u>97</u> Reply to Response to Motion, filed by Burrito Shoppe LLC, The <i>Affidavit Of Shane O. Bengoechea In Support of Response To Plaintiffs' Reply Memorandum In Support Of Motion To Extend (Dkt. #86) and Memorandum In Opposition To Motion To Compel (Dkt. #94)</i> . (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit)(Bengoechea, Shane)

07/10/2007	102	DOCKET TEXT NOTICE of Hearing on Motion <u>92</u> MOTION for Disclosure <i>Motion To Limit Disclosure Of Records, Documents And Things Pursuant To Protective Order And Order</i> , <u>94</u> MOTION for Sanctions <i>Motion For Order Compelling Disclosure Or Discovery And Sanctions</i> , <u>86</u> MOTION for Extension of Time to Complete Discovery (<i>certain discovery matters</i>) : Motion Hearing set for 8/6/2007 10:30 AM (Mtn. Time) in Boise, ID before Honorable Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lc,)
07/11/2007	<u>103</u>	NOTICE by Equal Employment Opportunity Commission <i>NOTICE OF UNAVAILABILITY OF COUNSEL</i> (Flores, Carmen)
07/23/2007	<u>104</u>	REPLY to Response to Motion re <u>92</u> MOTION for Disclosure <i>Motion To Limit Disclosure Of Records, Documents And Things Pursuant To Protective Order And Order Reply Memorandum To Plaintiffs' Memorandum In Response To Defendants' Motion To Limit Disclosure Of Records, Documents And Things (Docket #99)</i> filed by Burrito Shoppe LLC, The. (Bengoechea, Shane)
07/23/2007	<u>105</u>	AFFIDAVIT of Shane O. Bengoechea re <u>104</u> Reply to Response to Motion, filed by Burrito Shoppe LLC, The <i>Affidavit Of Shane O. Bengoechea In Support Of Reply Memorandum In Response To Defendants' Motion To Limit Disclosure of Records, Documents And Things (Docket #99)</i> . (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)(Bengoechea, Shane)
07/23/2007	<u>106</u>	AFFIDAVIT re <u>104</u> Reply to Response to Motion, filed by Burrito Shoppe LLC, The <i>Affidavit Of James Dorsey In Support Of Reply Memorandum To Plaintiffs' Memorandum In Response To Defendants' Motion To Limit Disclosure Of Records, Documents And Things (Docket #99)</i> . (Bengoechea, Shane)
08/06/2007	<u>107</u>	<i>Minute Entry for proceedings held before Judge Larry M. Boyle : Motion Hearing held on 8/6/2007 re <u>92</u> MOTION for Disclosure <i>Motion To Limit Disclosure Of Records, Documents And Things Pursuant To Protective Order And Order</i> filed by Burrito Shoppe LLC, The, <u>94</u> MOTION for Sanctions <i>Motion For Order Compelling Disclosure Or Discovery And Sanctions</i> filed by Burrito Shoppe LLC, The, <u>86</u> MOTION for Extension of Time to Complete Discovery (<i>certain discovery matters</i>) filed by Equal Employment Opportunity Commission, Idaho Human Rights Commission, Motions terminated.: COURT TO ENTER ORDER ON TODAY'S HEARING.(Court Reporter Vicki Jones.) (lc,)</i>
08/07/2007	<u>108</u>	ORDER granting <u>86</u> Motion for Extension of Time to Complete Discovery– Plaintiffs shall respond to Defendants First Set of Interrogatories and Request for Production of Documents by 9/10/07; granting in part and denying in part <u>92</u> Motion for Disclosure; granting in part and denying in part <u>94</u> Motion for Order Compelling Disclosures or Discovery and Sanctions. Plaintiffs must respond to written discovery and make Audrey Powers available for deposition by 9/10/07. No sanctions will be awarded. The Nampa Police Dept, a non–party to the instant lawsuit, is directed to produce to Plaintiffs by 8/10/07, all records identified by the NPD as responsive to the IHRC Subpoena and this Court's Order of 5/17/07 provided that such records are not subject to defs' objection.The NPD, is directed to produce in camera to the Court by 8/10/07, all records identified by the NPD as responsive to the IHRC Subpoena and this Court's Order of 5/17/07 that are subject to defs' objection. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
08/07/2007		Set Deadlines/Hearings: This is a court utility event only. Case Management deadline set for 8/10/2007 for NPD to produce (ja,)
08/16/2007	<u>109</u>	ORDER that NPD is to produce by 8/21/07 all of the material delivered to this Court pursuant to order <u>108</u> Order on Motion for Extension of Time to Complete Discovery, Order on Motion for Disclosure, Order on Motion for Sanctions. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by wm,)
08/16/2007	110	DOCKET ENTRY ORDER. Consistent with the Court's written Order (Docket No. 109), counsel for the City of Nampa Police Department is directed to collect the original documents and discs delivered to the Court for in camera review pursuant to the Court's Order of August 6, 2007 (Docket No. 108). Signed by Judge Larry M.

		Boyle. (Pfisterer, Kira)
10/05/2007	<u>111</u>	NOTICE of Appearance by Steven L Olsen on behalf of Idaho Human Rights Commission (Olsen, Steven)
10/11/2007	<u>112</u>	Joint MOTION for Extension of Time to Complete Discovery / <i>Deposition of James Dorsey</i> by Idaho Human Rights Commission. Responses due by 11/5/2007 (Olsen, Steven)
10/12/2007	113	DOCKET ENTRY ORDER granting <u>112</u> Joint Motion for Extension of Time to Complete Discovery. For good cause shown, the parties' joint motion to extend the date of Mr. Dorsey's deposition from October 5, 2007 to November 6, 2007 is hereby granted. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by Pfisterer, Kira)
11/05/2007	<u>114</u>	NOTICE by Idaho Human Rights Commission of <i>Service of Discovery Responses</i> (Olsen, Steven)
11/06/2007		CORRECTIVE ENTRY – The entry docket number <u>114</u> Notice (Other) filed by Idaho Human Rights Commission was filed incorrectly in this case. Pursuant to Local Rule 5.4 Non-Filing of Discovery, discovery documents must be served upon other counsel and parties but must not be filed with the Clerk of Court unless on order of the court or for use in the proceeding. (ja,)
02/11/2008	115	DOCKET TEXT NOTICE of Hearing: Telephonic Scheduling Conference set for 3/3/2008 11:45 AM (Mountain Time) in Boise Chambers before Judge Larry M. Boyle. Ms. Flores shall initiate the Conference Call to Chambers at (208) 334-1495. Parties shall be prepared to advise the Court the Status of the case and have calendars available to set this matter for Trial.(caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by lc,)
03/03/2008	<u>116</u>	Minute Entry for proceedings held before Judge Larry M. Boyle: Scheduling Conference held on 3/3/2008, (7-day Jury Trial set for 7/14/2008 09:00 AM in Boise, ID before Judge Larry M. Boyle.). ORDER to follow. (Court Reporter Sherri O'Larey.) (lc)
03/03/2008	<u>117</u>	SCHEDULING ORDER Pretrial Conference set for 7/1/2008 10:00 AM in Boise, ID before Judge Larry M. Boyle. Jury Trial set for 7/14/2008 09:00 AM in Boise, ID before Judge Larry M. Boyle. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jm,)
03/27/2008	<u>118</u>	NOTICE by Equal Employment Opportunity Commission <i>Unavailability of</i> (Flores, Carmen)
04/08/2008	<u>119</u>	MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> Steven L Olsen appearing for Intervenor Plaintiff Idaho Human Rights Commission. Responses due by 5/2/2008 (Attachments: # <u>1</u> Memorandum in Support)(Olsen, Steven)
04/08/2008	<u>120</u>	MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> Steven L Olsen appearing for Intervenor Plaintiff Idaho Human Rights Commission. Responses due by 5/2/2008 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit)(Olsen, Steven)
04/15/2008	<u>121</u>	NOTICE of Appearance by Robert Michael Adelson on behalf of Idaho Human Rights Commission (Adelson, Robert)
05/02/2008	<u>122</u>	RESPONSE to Motion re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil Defendant's Objection To Plaintiffs' Motion For Leave To File Motion To Pierce The Corporate Veil</i> filed by Burrito Shoppe LLC, The. Replies due by 5/19/2008.(Bengoechea, Shane)
05/02/2008	<u>123</u>	RESPONSE to Motion re <u>120</u> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil Defendants Objection To Plaintiffs' Motion To Pierce The Corporate Veil</i> filed by Burrito Shoppe LLC, The. Replies due by 5/19/2008.(Bengoechea, Shane)

05/06/2008	124	DOCKET TEXT NOTICE of Hearing on Motion <u>120</u> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> : Motion Hearing set for 6/3/2008 01:30 PM (MTN. TIME) at the Boise, IDAHO Federal Courthouse, 5th Floor, Courtroom #7 before Judge Larry M. Boyle. (lc)
05/07/2008	<u>125</u>	ORDER granting <u>119</u> Motion for Leave to File Motion to Pierce the Corporate Veil. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jm)
05/08/2008	<u>126</u>	AFFIDAVIT of Audrey Powers re <u>120</u> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> filed by Idaho Human Rights Commission. (Olsen, Steven).
05/16/2008	<u>127</u>	NOTICE by Equal Employment Opportunity Commission <i>OF UNAVAILABILITY</i> (Flores, Carmen)
05/19/2008	<u>128</u>	REPLY MEMORANDUM OF LAW in support of Plaintiffs' Motion to Pierce the Corporate Veil re <u>120</u> <i>Motion to Pierce the Corporate Veil</i> re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> filed by Idaho Human Rights Commission.(Adelson, Robert) Modified on 5/20/2008 to edit text (jm).
05/19/2008	<u>129</u>	AFFIDAVIT of Robert M. Adelson in support of Plaintiffs' Motion to Pierce the Corporate Veil re <u>120</u> <i>Motion to Pierce the Corporate Veil</i> re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> filed by Idaho Human Rights Commission.(Adelson, Robert) Modified on 5/20/2008 to edit text and link to dkt #128 (jm).
05/22/2008	<u>130</u>	AMENDED MOTION <i>For Order Compelling Disclosure Of Discovery And Sanctions</i> Shane O Bengoechea appearing for Defendant Burrito Shoppe LLC, The. Responses due by 6/16/2008 (Bengoechea, Shane) Modified on 5/23/2008 to edit text (jm).
05/22/2008	<u>131</u>	AMENDED MEMORANDUM in Support filed by The Burrito Shoppe LLC, <i>Amended Memorandum In Support Of Motion For Order Compelling Disclosure Of Discovery And Sanctions</i> . (Bengoechea, Shane) Modified on 5/23/2008 to edit text and link to dkt #130 (jm).
05/22/2008	<u>132</u>	AMENDED AFFIDAVIT of Shane O. Bengoechea filed by Burrito Shoppe LLC, The <i>Amended Affidavit of Shane O. Bengoechea</i> . (Attachments: # <u>1</u> Exhibit A – G)(Bengoechea, Shane) Modified on 5/23/2008 to edit text and link to dkt #130. Exhibit sealed due to personal identifiers (jm).
05/22/2008	<u>133</u>	MOTION to Continue <i>Trial Date</i> Shane O Bengoechea appearing for Defendant Burrito Shoppe LLC, The. Responses due by 6/16/2008 (Bengoechea, Shane)
05/22/2008	<u>134</u>	AFFIDAVIT of Shane O. Bengoechea filed by Burrito Shoppe LLC, The <i>In Support Of Motion To Continue Trial Date</i> . (Bengoechea, Shane) Modified on 5/23/2008 to link to dkt #133 (jm).
05/22/2008	<u>135</u>	AFFIDAVIT of James Dorsey filed by Burrito Shoppe LLC, The <i>Affidavit Of James Dorsey In Support Of Motion To Continue Trial Date</i> . (Bengoechea, Shane) Modified on 5/23/2008 to link to dkt #133 (jm).
05/27/2008	136	DOCKET ENTRY ORDER re expedited briefing schedule applicable to <u>133</u> Motion to Continue Trial Date. Because the pre-trial conference is scheduled for July 1, 2008 (Docket No. 117), the briefing schedule applicable to this motion is expedited as follows: Plaintiffs shall file a response on or before Monday, June 2, 2008 and Defendant shall file a reply (if any) on or before Wednesday, June 4, 2008. The Court further requests that the Clerk of the Court send a copy of this Docket Entry Order to Mr. Bengoechea at the following address: 671 E. Riverpark Lane, Suite 130 Boise, Idaho 83706. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by kp)
05/28/2008	137	DOCKET TEXT NOTICE: Mailed Via U.S. Mail hard-copy of Docket Text Order to Mr. Bengoechea/Refer to DOC>136. By L. Case. (lc)

05/28/2008		Set/Reset Deadlines as to <u>133</u> MOTION to Continue <i>Trial Date</i> . Responses due by 6/2/2008 Replies due by 6/4/2008. (jm)
05/30/2008	<u>138</u>	MEMORANDUM in Opposition re <u>133</u> MOTION to Continue <i>Trial Date</i> filed by Idaho Human Rights Commission. Replies due by 6/16/2008.(Adelson, Robert)
05/30/2008	<u>139</u>	AFFIDAVIT in Opposition by Robert M. Adelson re <u>133</u> MOTION to Continue <i>Trial Date</i> filed by Idaho Human Rights Commission. Replies due by 6/16/2008.(Adelson, Robert)
06/03/2008	<u>140</u>	AFFIDAVIT in Support by Robert M. Adelson re <u>120</u> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> filed by Idaho Human Rights Commission.(Adelson, Robert)
06/03/2008	<u>141</u>	AFFIDAVIT in Support by Robert M. Adelson re <u>120</u> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil With Correct Exhibit</i> filed by Idaho Human Rights Commission.(Adelson, Robert)
06/03/2008	<u>142</u>	Minute Entry for proceedings held before Judge Larry M. Boyle: Motion Hearing held on 6/3/2008 re <u>133</u> MOTION to Continue <i>Trial Date</i> filed by Burrito Shoppe LLC, The, <u>130</u> MOTION to Compel filed by Burrito Shoppe LLC, The, <u>120</u> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> filed by Idaho Human Rights Commission. MOTIONS DEEMED UNDER ADVISEMENT, pending briefing. (Court Reporter Sherri O'Larey.) (lc)
06/03/2008	143	DOCKET ENTRY ORDER regarding deadlines set at hearing: (1) Simultaneous, supplemental briefing due on or before June 5, 2008 on the issue of whether a decision to pierce the corporate veil may be determined prior to a finding of liability; and (2) All outstanding and supplemental discovery due on or before June 6, 2008. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by kp)
06/05/2008	<u>144</u>	MEMORANDUM in Support re <u>120</u> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil Supplemental</i> filed by Idaho Human Rights Commission.(Adelson, Robert)
06/05/2008	<u>145</u>	MEMORANDUM in Support re <u>120</u> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil</i> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File <i>Motion to Pierce the Corporate Veil Memorandum In Support Of Bifurcation Of claims Re: Motion To Pierce The Corporate Veil</i> filed by Burrito Shoppe LLC, The.(Bengoechea, Shane)
06/05/2008	<u>146</u>	REPLY to Response to Motion re <u>133</u> MOTION to Continue <i>Trial Date Defendant's Memorandum In Response To Plaintiffs' Memorandum In Opposition To Continuing Trial Date</i> filed by Burrito Shoppe LLC, The.(Bengoechea, Shane)
06/05/2008	<u>147</u>	AFFIDAVIT in Support re <u>133</u> MOTION to Continue <i>Trial Date Supplemental Affidavit Of Shane O. Bengoechea In Support Of Motion To Continue Trial Date And In Response To Plaintiffs' Opposition To Continuing Trial Date</i> filed by Burrito Shoppe LLC, The. (Attachments: # <u>1</u> Exhibit A)(Bengoechea, Shane)
06/05/2008	<u>148</u>	AFFIDAVIT in Opposition re <u>133</u> MOTION to Continue <i>Trial Date Affidavit Of Erika Birch In Support Of Motion To Continue Trial Date And In Response to Plaintiffs' Opposition To Continue Trial Date</i> filed by Burrito Shoppe LLC, The. Replies due by 6/23/2008.(Bengoechea, Shane)
06/10/2008	<u>149</u>	MEMORANDUM DECISION AND ORDER re: GRANTED <u>133</u> MOTION to Continue <i>Trial Date</i> filed by Burrito Shoppe LLC, The, GRANTED in part and DENIED in part <u>120</u> MOTION Piercing of Corporate Veil re <u>119</u> MOTION for Leave to File filed by Idaho Human Rights Commission, (Jury Trial set for 8/25/2008 09:00 AM in Boise, ID before Judge Larry M. Boyle., Pretrial Conference set for 8/15/2008 10:00 AM in Boise, ID before Judge Larry M. Boyle.) No further continuances of the

		trial will be allowed.. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jg)
06/10/2008	<u>150</u>	AFFIDAVIT in Support re <u>133</u> MOTION to Continue <i>Trial Date Supplemental Affidavit Of Shane O. Bengoechea In Support Of Amended Motion For Order Compelling Disclosure Of Discovery And Sanctions And Supplemental Affidavit Of Shane O. Bengoechea In Support Of Motion To Continue Trial Date</i> filed by Burrito Shoppe LLC, The.(Bengoechea, Shane)
06/11/2008	<u>151</u>	Sealed Document Re: <u>150</u> Affidavit in Support of Motion, <i>Supplemental Affidavit Of Shane O. Bengoechea In Support Of Amended Motion For Order Compelling Disclosure Of Discovery And Sanctions And Supplemental Affidavit Of Shane O. Bengoechea In Support Of Motion To Continue Trial Date.</i> (Bengoechea, Shane)
06/11/2008	<u>152</u>	Sealed Document Re: <u>150</u> Affidavit in Support of Motion,. (Bengoechea, Shane)
06/12/2008	<u>153</u>	AFFIDAVIT in Opposition by Christine Wilson re <u>130</u> MOTION to Compel filed by Idaho Human Rights Commission. Replies due by 6/30/2008.(Adelson, Robert)
06/16/2008	<u>154</u>	MEMORANDUM in Opposition re <u>130</u> MOTION to Compel filed by Idaho Human Rights Commission. Replies due by 7/3/2008.(Adelson, Robert)
06/16/2008	<u>155</u>	AFFIDAVIT in Opposition by Robert M. Adelson re <u>130</u> MOTION to Compel filed by Idaho Human Rights Commission. Replies due by 7/3/2008.(Adelson, Robert) Modified on 6/17/2008 to link to dkt 154 (jm).
07/25/2008	156	DOCKET ENTRY ORDER re <u>130</u> Defendants' Amended Motion for Order Compelling Disclosure of Discovery and Sanctions. It appears from Plaintiffs' Response (Docket No. 154) and Defendants' choice not to reply that all outstanding discovery issues have been resolved by the parties. Nonetheless, the parties are hereby required to file on or before Monday, August 4, 2008 a joint, status report regarding any outstanding issues relevant to Defendants' Amended Motion for Order Compelling Disclosure of Discovery and Sanctions (Docket No. 130). Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by kp)
07/25/2008		Set Deadlines/Hearings: Status Report deadline set for 8/4/2008. The parties are required to file by 8/4/08 a joint, status report regarding any outstanding issues relevant to Defendants' Amended Motion for Order Compelling Disclosure of Discovery and Sanctions <u>130</u> .(jm) Modified on 7/29/2008 to edit text (jm). (Entered: 07/28/2008)
08/04/2008	<u>157</u>	NOTICE of Settlement by Idaho Human Rights Commission (Adelson, Robert)
08/11/2008	158	DOCKET TEXT NOTICE: Pursuant to the Notice of Settlement(DOC.157), Counsel shall file their Final dismissal papers & Proposed Order, on or before AUGUST 20, 2008. (lc)
08/11/2008	<u>159</u>	SETTLEMENT AGREEMENT <i>Consent Decree and Proposed Order</i> by Idaho Human Rights Commission. (Adelson, Robert)
08/11/2008	<u>160</u>	CONSENT DECREE. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jm)
10/15/2008	<u>161</u>	APPLICATION for <i>Writ of Execution</i> Robert Michael Adelson appearing for Intervenor Plaintiff Idaho Human Rights Commission. Responses due by 11/10/2008 (Adelson, Robert)
10/15/2008	<u>162</u>	AFFIDAVIT of Robert M. Adelson re <u>161</u> MOTION to Enforce Judgment <i>Application for Writ of Execution</i> filed by Idaho Human Rights Commission. (Adelson, Robert)
10/20/2008	<u>163</u>	RESPONSE to Motion re <u>161</u> MOTION to Enforce Judgment <i>Application for Writ of Execution</i> filed by Allied Foodservice Inc. Replies due by 11/6/2008.(Clark, D)
10/22/2008	<u>164</u>	NOTICE of Appearance by D Blair Clark on behalf of Allied Foodservice Inc (Clark, D)

10/23/2008	<u>165</u>	JOINDER by Plaintiff Equal Employment Opportunity Commission joining <u>161</u> MOTION to Enforce Judgment <i>Application for Writ of Execution</i> . (Flores, Carmen)
10/30/2008	166	DOCKET ENTRY NOTICE of Hearing on Motion <u>161</u> MOTION to Enforce Judgment <i>Application for Writ of Execution</i> : Motion Hearing set for 11/24/2008 10:30 AM in Boise, ID before Judge Larry M. Boyle. (loh)
11/03/2008	167	AMENDED DOCKET ENTRY NOTICE of Hearing: Please take notice that the Motion Hearing on Motion <u>161</u> MOTION to Enforce Judgment <i>Application for Writ of Execution</i> previously scheduled on 11/24/2008 has been VACATED and reset for 11/25/2008 at 10:00 AM in Boise, ID before Judge Larry M. Boyle. (loh)
11/10/2008	<u>168</u>	NOTICE OF UNAVAILABILITY OF COUNSEL by Equal Employment Opportunity Commission <i>11/14-21/2008</i> (Flores, Carmen) Modified on 11/12/2008 to edit text (jm).
11/25/2008	<u>169</u>	Minute Entry for proceedings held before Judge Larry M. Boyle: Motion Hearing held on 11/25/2008 re <u>161</u> MOTION to Enforce Judgment <i>Application for Writ of Execution</i> filed by Idaho Human Rights Commission. (Court Reporter ESR: Vicki Jones.) (so)
11/25/2008	<u>170</u>	ORDER Plaintiffs' Application for Writ of Execution <u>161</u> is GRANTED and Defendant's Motion for Stay <u>163</u> is DENIED. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jm)
11/25/2008	<u>171</u>	WRIT of Execution issued (cc: USMS)(jm)
03/03/2009	<u>172</u>	MOTION to Compel <i>Responses to Post-Judgment Discovery Requests</i> Robert Michael Adelson appearing for Intervenor Plaintiff Idaho Human Rights Commission. Responses due by 3/27/2009 (Adelson, Robert)
03/03/2009	<u>173</u>	MEMORANDUM in Support re <u>172</u> MOTION to Compel <i>Responses to Post-Judgment Discovery Requests</i> filed by Idaho Human Rights Commission.(Adelson, Robert)
03/03/2009	<u>174</u>	AFFIDAVIT in Support re <u>172</u> MOTION to Compel <i>Responses to Post-Judgment Discovery Requests March 3, 2009 Affidavit of Robert M. Adelson</i> filed by Idaho Human Rights Commission.(Adelson, Robert)
04/09/2009	<u>175</u>	NOTICE by Equal Employment Opportunity Commission <i>UNAVAILABILITY OF COUNSEL</i> (Flores, Carmen)
04/27/2009	<u>176</u>	ORDER granting <u>172</u> Motion to Compel. Defendants shall respond to Post-Judgment Interrogatories and Requests for Production filed on 3/3/09, on or before 5/19/09, or appear at the federal courthouse in Boise, Idaho on 5/20/09, at 1:00 p.m. (MST), to show cause why Defendants should not be sanctioned for failing to comply with this Order. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jm)
04/27/2009		Set/Reset Hearings: Show Cause Hearing set for 5/20/2009 01:00 PM in Boise, ID before Judge Larry M. Boyle. (jm)
05/19/2009	<u>177</u>	NOTICE by Allied Foodservice Inc, Burrito Shoppe LLC, The re Set/Reset Hearings, <u>176</u> Order on Motion to Compel, (Attachments: # <u>1</u> Supplement Answers to Plaintiff's Post-Judgment Requests for Discovery)(Clark, D)
05/20/2009	<u>178</u>	Minute Entry for proceedings held before Judge Larry M. Boyle: Show Cause Hearing held on 5/20/2009. (Court Reporter/ESR Vicki Jones.) (so)
06/11/2009	<u>179</u>	STIPULATION <i>May 2009 Consent Order</i> by Idaho Human Rights Commission. (Adelson, Robert)
06/13/2009		CORRECTIVE ENTRY – The entry document number <u>179</u> Stipulation filed by Idaho Human Rights Commission in regards to the attached proposed order, was filed incorrectly in this case. Pursuant to the ECF Procedures, section 12B, all proposed orders are to be submitted by email to the appropriate Judges proposed order email box only and not as attachments. The filing party shall re-submit their proposed order.(jm)

07/15/2009	<u>180</u>	ORDER re <u>179</u> Stipulation Consent Order filed by Idaho Human Rights Commission. The May 2009 Consent Order is approved as the final agreement in full settlement of this action. This case is DISMISSED with prejudice, eachparty to bear its own fees and/or costs; the Court retains jurisdiction of this matter for the purposes of enforcing the August 11, 2008 Consent Decree and the foregoing May 2009 Consent Order. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jm) (Entered: 07/16/2009)
09/10/2010	<u>181</u>	MOTION to Withdraw as Attorney D Blair Clark appearing for Defendants Allied Foodservice Inc, Burrito Shoppe LLC, The. Responses due by 10/4/2010 (Attachments: # <u>1</u> Affidavit in Support of Motion to Withdraw)(Clark, D)
11/02/2010	<u>182</u>	ORDER granting <u>181</u> Motion to Withdraw as Attorney. Attorney D Blair Clark terminated. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by krb) (Entered: 11/03/2010)
03/07/2012	<u>183</u>	APPLICATION for Writ of of Execution (<i>Second</i>) by Idaho Human Rights Commission. (Attachments: # <u>1</u> Affidavit of Robert M. Adelson)(Adelson, Robert)
03/15/2012	<u>184</u>	ORDER GRANTING PLAINTIFF IHRC'S APPLICATION FOR WRIT OF EXECUTION re <u>183</u> Application for Writ filed by Idaho Human Rights Commission. Signed by Judge Larry M. Boyle. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (cjm)
03/15/2012	<u>185</u>	WRIT of Execution issued(cjm)