

CLOSED, LCKB, NDPLMB

U.S. District Court
District of Idaho (LIVE Database) Version 3.0.4 (Moscow)
CIVIL DOCKET FOR CASE #: 3:05-cv-00376-RJB-LMB

Equal Employment Opportunity Commission v. Wal-Mart
Stores, Inc.
Assigned to: Honorable Robert J. Bryan
Referred to: Honorable Larry M. Boyle
Cause: 28:451 Employment Discrimination

Date Filed: 09/15/2005
Date Terminated: 02/05/2007
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **A Luis Lucero, Jr**
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V.

Defendant

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Date Filed	#	Docket Text
09/15/2005	1	COMPLAINT against Wal-Mart Stores, Inc. Summons Issued, filed by Equal Employment Opportunity Commission. (Attachments: # 1 Cover Sheet)(dkh,) (Entered: 09/16/2005)
09/16/2005	2	NOTICE of Availability of Magistrate Judge and Requirement for Consent sent to counsel for Equal Employment Opportunity Commission re 1 Complaint (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by dkh,)
09/21/2005		Summons Reissued as to Equal Employment Opportunity Commission. (dkh,)
10/06/2005	3	SUMMONS Returned Executed by Equal Employment Opportunity Commission. Wal-Mart Stores, Inc. served on 9/30/2005, answer due 10/20/2005. (dkh,) (Entered: 10/07/2005)
10/21/2005	4	NOTICE of Appearance by Charles F McDevitt on behalf of Wal-Mart Stores, Inc. (dkh,)
10/21/2005	5	STIPULATION for extension of time for filing answer re 1 Complaint by Wal-Mart Stores, Inc.. (dkh,)
10/24/2005	6	NOTICE of Appearance by Damien A Lee on behalf of Equal Employment Opportunity Commission (Lee, Damien)
10/24/2005	7	ORDER granting an extension of time for filing answer. re 5 Stipulation. Wal-Mart Stores, Inc. shall file and serve its Answer by 11/21/05. Signed by Judge Edward J. Lodge. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by ja,)
10/27/2005	8	LITIGATION ORDER Parties to file the litigation plan form by 11/30/2005. Telephonic Scheduling Conference set for 12/14/2005 09:30 AM before Honorable Edward J. Lodge.. Signed by Judge Edward J. Lodge. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
11/01/2005	9	APPLICATION and approval of Clerk for admission pro hac vice, Attorney Michael Reiss for Wal-Mart Stores, Inc. added. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by dkh,) (Entered: 11/02/2005)
11/01/2005	10	APPLICATION and approval of Clerk for admission pro hac vice, Attorney Sheehan Sullivan Weiss for Wal-Mart Stores, Inc. added. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by dkh,) (Entered: 11/02/2005)
11/01/2005	11	APPLICATION and approval of Clerk for admission pro hac vice, Attorney Michael J Killeen for Wal-Mart Stores, Inc. added. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by dkh,) (Entered: 11/02/2005)

11/21/2005	12	<i>Defendant's Answer to Plaintiff's Complaint ANSWER to Complaint with Jury Demand by Wal-Mart Stores, Inc..(Sullivan Weiss, Sheehan)</i>
11/21/2005	13	CERTIFICATE OF SERVICE by Wal-Mart Stores, Inc. re 12 Answer to Complaint <i>Amended Certificate of Service</i> (Sullivan Weiss, Sheehan)
11/23/2005	14	NOTICE of Availability of Magistrate Judge and Requirement for Consent sent to counsel for Wal-Mart Stores, Inc. re 12 Answer to Complaint (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by dkh,)
11/25/2005	15	STIPULATION re 1 Complaint <i>Withdrawal of Jury Demand</i> by Equal Employment Opportunity Commission. (Lee, Damien)
11/25/2005	16	SCHEDULING CONFERENCE FORM - LITIGATION PLAN by Equal Employment Opportunity Commission. (Lee, Damien)
11/30/2005	17	SCHEDULING ORDER REFERRING CASE to Magistrate Judge Larry M. Boyle for all non-dispositive pretrial matters; ADR Plan to be filed by 5/31/2006. Amended Pleadings due by 5/13/2006. Discovery due by 8/14/2006. Motions due by 9/11/2006. Bench Trial set for 2/13/2007 09:30 AM in Coeur d Alene, ID before Honorable Edward J. Lodge.. Signed by Judge Edward J. Lodge. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jlg,)
12/05/2005	18	STIPULATION re 1 Complaint (<i>Corrected</i>) by Equal Employment Opportunity Commission. (Lee, Damien)
02/17/2006	19	STIPULATION <i>re Proposed Protective Order</i> by Equal Employment Opportunity Commission. (Attachments: # 1 Certificate of Service)(Lee, Damien)
02/17/2006	20	DOCKET ENTRY ORDER approving the parties' Stipulated Withdrawal of Jury Demand [Dkt 18]. Signed by Judge Larry M. Boyle. (Ball, Kate)
02/17/2006	21	ORDER Granting Stipulated Protective Order re 19 Stipulation filed by Equal Employment Opportunity 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 jg,) (Entered: 02/21/2006)
04/19/2006	22	STIPULATION <i>to Extend the Time for Disclosure of Expert Witnesses in the Scheduling Order</i> by Equal Employment Opportunity Commission. (Attachments: # 1 Proposed Order Regarding Stipulation to Extend the Time to Disclose Expert Witnesses)(Lee, Damien)
04/24/2006	23	ORDER Regarding Stipulation to Extend Time, Granting re 22 Stipulation, filed by Equal Employment Opportunity 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 jg,)
05/31/2006	24	NOTICE by Wal-Mart Stores, Inc. <i>Joint Written Statement Regarding Settlement Efforts</i> (Killeen, Michael)
06/02/2006	25	STIPULATION <i>to Extend Expert Witness Disclosures</i> by Equal Employment Opportunity Commission. (Attachments: # 1)(Lee, Damien)

06/06/2006	26	ORDER granting 25 Second Stipulation to extend the time to disclose expert witnesses filed by Equal Employment Opportunity 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 dks,)
07/07/2006	27	First MOTION for Extension of Time to Complete Discovery by Equal Employment Opportunity Commission. Responses due by 7/31/2006 (Attachments: # 1 Memorandum in Support # 2 Affidavit # 3 Exhibit A to Decl.# 4 Exhibit B to Decl.# 5 Exhibit C to Decl.# 6 Exhibit D to Decl.# 7 Exhibit E to Decl.# 8 Exhibit F to Decl.# 9 Exhibit G to Decl.# 10 Exhibit H to Decl.# 11 Exhibit I to Decl.# 12 Exhibit J to Decl.)(Lee, Damien)
07/07/2006	28	MOTION for Extension of Time to Complete Discovery by Equal Employment Opportunity Commission. Responses due by 7/31/2006 (Attachments: # 1 Exhibit L to Decl.# 2 Exhibit M to Decl.# 3 Exhibit N to Decl.# 4 Proposed Order re Plaintiff EEOC's Motion to Extend Discovery and Pretrial Deadlines and to Shorten Time)(Lee, Damien)
07/10/2006		CORRECTIVE ENTRY - The entry docket number 28MOTION for Extension of Time to Complete Discovery filed by Equal Employment Opportunity Commission, was filed incorrectly in this case. This is not a motion and should be filed as a "Supplement" using the event under other documents, linking to the motion dkt #27. Also, the proposed order needs to be emailed to the appropriate Judge's e-mail box. The clerk has termed the motion dkt #28. The filing party shall re-submit their correct filing. (jg,)
07/10/2006	29	SUPPLEMENT by Plaintiff Equal Employment Opportunity Commission re 27 First MOTION for Extension of Time to Complete Discovery. (Attachments: # 1 Exhibit K to Decl# 2 Exhibit L to Decl# 3 Exhibit M to Decl# 4 Exhibit N to Decl)(Lee, Damien)
07/25/2006	30	DOCKET ENTRY ORDER granting Plaintiff EEOC's request to shorten the time for responding to its Motion to Extend Discovery and Pretrial Deadlines (Docket No. 27). Good cause exists to shorten the response time because the deadline for which Plaintiff has requested an extension is just a few weeks away. Accordingly, Defendant's response memorandum is due on or before July 28, 2006, and Plaintiff's reply memorandum is due on or before August 4, 2006. Signed by Judge Larry M. Boyle. (Ball, Kate)
07/28/2006	31	RESPONSE to Motion re 27 First MOTION for Extension of Time to Complete Discovery <i>Defendant Wal-Mart's Response to Plaintiff EEOC's Motion to Extend Discovery and Pretrial Deadlines</i> filed by Wal-Mart Stores, Inc.. Replies due by 8/4/2006. (Killeen, Michael)
08/04/2006	32	REPLY to Response to Motion re 27 First MOTION for Extension of Time to Complete Discovery filed by Equal Employment Opportunity Commission. (Lee, Damien)
08/10/2006	33	ORDER granting re 27 First MOTION for Extension of Time to Complete Discovery filed by Equal Employment Opportunity Commission, Discovery due by 9/14/2006. Motions due by 9/25/2006.. 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 jg,)

09/05/2006	34	MOTION for Extension of Time to Complete Discovery <i>Defendant Wal-Mart's Motion to Extend Deadline for Expert Discovery</i> by Wal-Mart Stores, Inc.. Responses due by 9/29/2006 (Killeen, Michael)
09/05/2006	35	MEMORANDUM/BRIEF re 34 MOTION for Extension of Time to Complete Discovery <i>Defendant Wal-Mart's Motion to Extend Deadline for Expert Discovery</i> filed by Wal-Mart Stores, Inc.. (Killeen, Michael)
09/05/2006	36	DECLARATION of Michael J. Killeen re 34 MOTION for Extension of Time to Complete Discovery <i>Defendant Wal-Mart's Motion to Extend Deadline for Expert Discovery</i> filed by Wal-Mart Stores, Inc.. (Killeen, Michael)
09/05/2006	37	MOTION for Hearing re 34 MOTION for Extension of Time to Complete Discovery <i>Defendant Wal-Mart's Motion to Extend Deadline for Expert Discovery Motion to Shorten Time to Hear Wal-Mart's Motion to Extend Deadline for Expert Discovery</i> by Wal-Mart Stores, Inc.. Responses due by 9/29/2006 (Killeen, Michael)
09/06/2006	38	DECLARATION of Michael J. Killeen re 34 MOTION for Extension of Time to Complete Discovery <i>Defendant Wal-Mart's Motion to Extend Deadline for Expert Discovery</i> filed by Wal-Mart Stores, Inc. <i>Supplemental Declaration of Michael J. Killeen in Support of Defendant Wal-Mart's Motion to Extend Deadline for Expert Discovery.</i> (Killeen, Michael)
09/07/2006	39	ORDER granting in part 37 Motion to extend deadline for expert discovery; and denying in party request for hearing on motion to extend time for expert discovery. 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 dks,).
09/07/2006	40	NOTICE of Appearance by Teri L Healy on behalf of Equal Employment Opportunity Commission (Healy, Teri)
09/13/2006	41	RESPONSE to Motion re 34 MOTION for Extension of Time to Complete Discovery <i>Defendant Wal-Mart's Motion to Extend Deadline for Expert Discovery</i> filed by Equal Employment Opportunity Commission. Replies due by 9/15/2006. (Attachments: # 1 Affidavit of Damien A. Lee in Response to Defendant Wal-Mart's Motion to Extend Expert Discovery# 2 Exhibit A to Affidavit of Damien A. Lee in Response to Defendant Wal-Mart's Motion to Extend Expert Discovery)(Lee, Damien)
09/15/2006	42	REPLY to Response to Motion re 34 MOTION for Extension of Time to Complete Discovery <i>Defendant Wal-Mart's Motion to Extend Deadline for Expert Discovery Defendant Wal-Mart's Reply in Support of Motion to Extend Deadline for Expert Discovery</i> filed by Wal-Mart Stores, Inc.. (Killeen, Michael)
09/22/2006	43	ORDER granting 34 Motion for Extension of Time to Complete Discovery The deadline for completion of expert discovery is extended to 10/20/06, Dispositive motions shall be filed on or before 11/6/06.. 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 jg,)
01/12/2007	44	MOTION to excuse attendance of local counsel at trial by Wal-Mart Stores, Inc.. Responses due by 2/5/2007 (jg,)

01/12/2007	45	MOTION in Limine <i>Defendant Wal-Mart's Motions in Limine</i> by Wal-Mart Stores, Inc.. Responses due by 2/5/2007 (Attachments: # 1 Proposed Order Granting Wal-Mart's Motions in Limine)(Killeen, Michael)
01/12/2007	46	DECLARATION of Michael J. Killeen in Support of Defendant Wal-Mart's Motions in Limine filed by Wal-Mart Stores, Inc.. (Attachments: # 1 Exhibit Exhibits A-D to Killeen Declaration# 2 Exhibit Exhibits E-I to Killeen Declaration)(Killeen, Michael)
01/12/2007	47	MOTION in Limine <i>re Past Litigation and Prior Arrests and Convictions</i> by Equal Employment Opportunity Commission. Responses due by 2/5/2007 (Attachments: # 1 Memorandum in Support # 2 Exhibit Proposed Order)(Healy, Teri)
01/12/2007	48	Exhibit List by Equal Employment Opportunity Commission.. (Attachments: # 1 Proposed Exhibit Form# 2 Designated Deposition Transcript (C. Booher, contingently designated)# 3 Designated Deposition Transcript (K. Harrison))(Lee, Damien)
01/12/2007	49	MOTION in Limine <i>TO SEEK ADMISSION OF PHOTOGRAPHIC EVIDENCE</i> by Equal Employment Opportunity Commission. Responses due by 2/5/2007 (Attachments: # 1 Memorandum in Support Memorandum in Support# 2 Exhibit Proposed Order)(Healy, Teri)
01/12/2007	50	DECLARATION of Damien A. Lee re 49 MOTION in Limine <i>TO SEEK ADMISSION OF PHOTOGRAPHIC EVIDENCE</i> filed by Equal Employment Opportunity Commission. (Healy, Teri)
01/12/2007	51	MOTION in Limine <i>DAUBERT MOTION TO EXCLUDE TESTIMONY AND REPORT OF DEFENDANTS EXPERT WITNESS NANCY COLLINS</i> by Equal Employment Opportunity Commission. Responses due by 2/5/2007 (Attachments: # 1 Memorandum in Support # 2 Appendix Proposed Order)(Healy, Teri)
01/12/2007	52	DECLARATION of Travis Woods re 49 MOTION in Limine <i>TO SEEK ADMISSION OF PHOTOGRAPHIC EVIDENCE</i> , 51 MOTION in Limine <i>DAUBERT MOTION TO EXCLUDE TESTIMONY AND REPORT OF DEFENDANTS EXPERT WITNESS NANCY COLLINS</i> filed by Equal Employment Opportunity Commission. (Attachments: # (1) Attach A - Picture 1# (2) Attach A Pic 2# (3) Attach A - Pic 3# (4) Attach A - Pic 5# (5) Attach A - Pic 6# (6) Attach A - Pic 8# (7) Attach A - Pic 9# (8) Attach A - Pic 10# (9) Attach A - Pic 11# (10) Attach A - Pic 13# (11) Attach A - Pic 14# (12) Attach B)(Lee, Damien) Declaration of Travis Woods to be refiled, see doc #57. Modified to seal on 1/23/2007 (wm,).
01/12/2007	53	DECLARATION of Teri Healy re 51 MOTION in Limine <i>DAUBERT MOTION TO EXCLUDE TESTIMONY AND REPORT OF DEFENDANTS EXPERT WITNESS NANCY COLLINS</i> filed by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit A EEO1 Report# 2 Exhibit B LOD# 3 Exhibit C Complaint# 4 Exhibit D Collins Deposition Excerpts# 5 Exhibit E Collins Report# 6 Exhibit F Curriculum Vitae# 7 Exhibit G EEOC's Interrogatory Response)(Healy, Teri)

01/16/2007	54	ORDER EXCUSING LOCAL COUNSEL granting 44 Motion to be excused from attendance at the trial. Signed by Judge Edward J. Lodge. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by jg,)
01/17/2007	55	Exhibit List <i>Exhibit List Part 1</i> by Wal-Mart Stores, Inc... (Killeen, Michael)
01/17/2007	56	Exhibit List <i>WM Exhibit List Part 2</i> by Wal-Mart Stores, Inc... (Killeen, Michael)
01/18/2007	57	DECLARATION of Travis Woods re [52] Declaration,, filed by Equal Employment Opportunity Commission. (Lee, Damien)
01/23/2007	58	DESIGNATION of District Judge for service in another district within the Ninth Circuit. Case reassigned to Judge Robert J. Bryan for all further proceedings. Judge Edward J. Lodge no longer assigned to case; Please note to use the new case number of CV 05-376-C-RJB on all future pleadings in this case. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by dks,) (Entered: 01/24/2007)
01/25/2007	59	RESPONSE to Motion re 47 MOTION in Limine <i>re Past Litigation and Prior Arrests and Convictions</i> filed by Wal-Mart Stores, Inc.. Replies due by 2/8/2007. (Killeen, Michael)
01/25/2007	60	RESPONSE to Motion re 49 MOTION in Limine <i>TO SEEK ADMISSION OF PHOTOGRAPHIC EVIDENCE</i> filed by Wal-Mart Stores, Inc.. Replies due by 2/8/2007. (Killeen, Michael)
01/25/2007	61	RESPONSE to Motion re 51 MOTION in Limine <i>DAUBERT MOTION TO EXCLUDE TESTIMONY AND REPORT OF DEFENDANTS EXPERT WITNESS NANCY COLLINS</i> filed by Wal-Mart Stores, Inc.. Replies due by 2/8/2007. (Killeen, Michael)
01/26/2007	62	RESPONSE to Motion re 45 MOTION in Limine <i>Defendant Wal-Mart's Motions in Limine</i> filed by Equal Employment Opportunity Commission. Replies due by 2/9/2007. (Lee, Damien)
01/26/2007	63	DECLARATION of Teri Healy re 62 Response to Motion filed by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit A# 2 Exhibit B# 3 Exhibit C# 4 Exhibit D# 5 Exhibit E# 6 Exhibit F# 7 Exhibit G# 8 Exhibit H)(Healy, Teri)
01/26/2007	64	DECLARATION of Damien A Lee re 62 Response to Motion filed by Equal Employment Opportunity Commission. (Attachments: # 1 Attach. A to D Lee Decl.# 2 Attach. B to D Lee Decl.# 3 Attach. C to D Lee Decl.# 4 Attach. D to D Lee Decl.# 5 Attach. E to D Lee Decl.# 6 Attach. F to D Lee Decl.# 7 Attach. G to D Lee Decl.# 8 Attach. H to D Lee Decl.# 9 Attach. I to D Lee Decl.)(Lee, Damien)
01/29/2007		Set/Reset Hearings: This is a court utility event only. Jury Trial set for 2/13/2007 09:00 AM in Coeur d Alene, ID before Honorable Robert J. Bryan. For 4 days. (mp,)
01/29/2007		Set/Reset Hearings: This is a court utility event only. Correction the Jury Trial is Bench Trial set for 2/13/2007 09:30 AM in Coeur d Alene, ID before Honorable Robert J. Bryan. (mp,)

02/05/2007	65	SETTLEMENT AGREEMENT AND ORDER OF DISMISSAL. Signed by Judge Robert J. Bryan on 2/5/07. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by Judge Robert Bryan and his JA, J Lemm.)
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