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**U.S. District Court
District of Nebraska (4 Lincoln)
CIVIL DOCKET FOR CASE #: 4:01-cv-00045-WKU**

EEOC v. Scientific Games
Assigned to: Judge Warren K. Urbom
Demand: \$0
Cause: 42:2000 Job Discrimination (Age)

Date Filed: 02/02/2001
Date Terminated: 04/24/2002
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Rita Byrnes Kittle**
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ATTORNEY TO BE NOTICED

V.

Defendant

**Scientific Games
Inc.**

represented by **Darin L. Mackender**
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Mediator

John C. Brownrigg
TERMINATED: 11/09/2001

represented by **John C. Brownrigg**
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TERMINATED: 11/09/2001

Date Filed	#	Docket Text
02/02/2001	1	COMPLAINT: no Summons issued; jury demand with request for trial at Omaha (ADB) (Entered: 02/05/2001)
02/07/2001	2	MEMORANDUM AND ORDER: by Chief Judge Richard G. Kopf that pursuant to General Order 00-17, case is reassigned from Magistrate Judge Jaudzemis to Magistrate Judge Thalken for judicial supervision and processing of all pretrial matters Case referred to Magistrate Judge Thomas D. Thalken - COPIES MAILED [EOD Date 2/7/01] (BMH) (Entered: 02/07/2001)
04/26/2001	3	ANSWER AND AFFIRMATIVE DEFENSES by defendant Scientific Games to complaint [1-1] (PART 1 OF 2 PARTS) (BMH) Modified on 04/30/2001 (Entered: 04/26/2001)
04/26/2001	3	(PART 2 OF 2 PARTS) MOTION by defendant Scientific Games to change venue to Lincoln (ADB) (Entered: 04/30/2001)
05/02/2001	4	SCHEDULING PACKET by Magistrate Judge Thomas D. Thalken - COPIES MAILED (NCD) (Entered: 05/02/2001)
05/07/2001	6	WAIVER OF SERVICE (Rule 4 - Summons) upon defendant Scientific Games on 2/26/01 (answer already filed) (ADB) Modified on 05/07/2001 (Entered: 05/07/2001)
05/07/2001	5	NOTICE of lawsuit and request for waiver of service by plaintiff EEOC (ADB) (Entered: 05/07/2001)
05/17/2001	7	ORDER by Magistrate Judge Thomas D. Thalken motion to change venue to Lincoln [3-1] is held in abeyance until 5/30/01 pending compliance with NELR 40.1; otherwise the mtn will be deemed denied - COPIES MAILED [EOD Date 5/17/01] (JLS) (Entered: 05/17/2001)
06/01/2001	8	ORDER by Magistrate Judge Thomas D. Thalken denying motion to change venue to Lincoln [3-1] deemed abandoned - COPIES MAILED [EOD Date 6/1/01] (TJS) (Entered: 06/01/2001)
06/01/2001	9	REPORT of Parties' planning conference (TJS) Modified on 06/04/2001 (Entered: 06/01/2001)
06/01/2001	10	ORDER SETTING SCHEDULE FOR PROGRESSION OF CASE by Magistrate Judge Thomas D. Thalken - telephone status conference hrg set for 11:00 9/5/01;

		the parties' stipulation and agreements reflected in their planning report filed w/ the court insofar as they do not conflict w/ this order, are adopted - COPIES MAILED (TJS) Modified on 06/04/2001 (Entered: 06/01/2001)
06/04/2001	11	DECLARATION of Philip J. Bauer on behalf of defendant Scientific Games re motion to change venue to Lincoln [3-1] (ADB) (Entered: 06/04/2001)
06/04/2001	12	MOTION by defendant Scientific Games for reconsideration of 6/1/01 order re: motion to change venue [3-1] w/ attachments (BMH) (Entered: 06/05/2001)
06/04/2001	13	INDEX OF EXHIBITS by defendant Scientific Games in support of dft's motion for reconsideration of 6/1/01 order re: motion to change venue [3-1] [12-1] w/ attachments (BMH) (Entered: 06/05/2001)
06/05/2001	14	AMENDED MOTION re: [12-1] by defendant Scientific Games for reconsideration of 6/1/01 re: mtn to change venue [3-1] w/ attachments (BMH) (Entered: 06/05/2001)
06/05/2001	15	INDEX OF EXHIBITS by defendant Scientific Games in support of dft's amended motion for reconsideration of 6/1/01 re: mtn to change venue [3-1] [14-1] [14-2] w/ attachments (BMH) (Entered: 06/05/2001)
06/06/2001	16	CERTIFICATE OF SERVICE by defendant Scientific Games of its Initial Disclosures. (RDB) (Entered: 06/06/2001)
06/07/2001	17	CERTIFICATE OF SERVICE by plaintiff EEOC of serving plf's initial disclosures (JLS) (Entered: 06/07/2001)
06/08/2001	18	ORDER by Magistrate Judge Thomas D. Thalken granting motion for reconsideration of 6/1/01 re: mtn to change venue [3-1] [14-1] [14-2]; plf shall have to or before 6/21/01 to respond to the request for the palce of trial to be in Lincoln - COPIES MAILED [EOD Date 6/8/01] (JAE) (Entered: 06/08/2001)
06/25/2001	19	ORDER by Magistrate Judge Thomas D. Thalken granting motion to change venue to Lincoln [3-1] transferring case to the Lincoln division; trial shall be conducted in Lincoln; the Clerk shall transfer case and randomly draw a trial judge; the Clerk shall deliver this file to Magistrate Piester for further progression - COPIES MAILED [EOD Date 6/25/01] (ADB) (Entered: 06/25/2001)
06/25/2001	20	MEMORANDUM AND ORDER by Chief Judge Richard G. Kopf that: (1) this case is reassigned to Judge Warren K. Urbom for disposition and the case is referred to Magistrate Judge David L. Piester for judicial supervision; this case is transferred to the Lincoln docket - COPIES MAILED AS DIRECTED [EOD Date 6/25/01] (RDB) (Entered: 06/25/2001)
06/28/2001	21	ORDER by Magistrate Judge David L. Piester that the order setting schedule for initial progression of case [10-1] shall remain in full force and effect, except that the telephone planning conference originally set for 11:00 a.m. on 9/5/01 with Magistrate Judge Thalken shall be held with the undersigned on the same date and time; plf's counsel shall initiate telephone conference - COPIES MAILED [EOD Date 6/29/01] (BMH) (Entered: 06/29/2001)
07/31/2001	22	CERTIFICATE OF SERVICE by defendant Scientific Games of serving its First Set of Interrogatories and First Request for Production of Documents and Things. (RDB) (Entered: 08/01/2001)

08/09/2001	23	CERTIFICATE OF SERVICE by defendant Scientific Games of serving dft's answers and responses to plf's first consolidated discovery requests upon plf (SED) (Entered: 08/09/2001)
08/23/2001	24	NOTICE by defendant Scientific Games of taking a video depostion of Duane Umland on 8/28/01 at 9:00am (at the offices of Rembolt Ludtke and Berger) (KBJ) (Entered: 08/24/2001)
08/23/2001	25	NOTICE by defendant Scientific Games of taking video deposition of Nancy Kimmen-Bouton on 8/28/01 at 2:30pm (at the offices of Rembolt Ludtke and Berger) (KBJ) (Entered: 08/24/2001)
09/05/2001	26	ORDER by Magistrate Judge David L. Piester - deposition ddl set for 12/3/01 - pretrial conference set for 1:30 12/14/01 - jury trial set for week of 1/28/02 - COPIES MAILED [EOD Date 9/5/01] (KBJ) Modified on 09/07/2001 (Entered: 09/05/2001)
09/14/2001	27	CERTIFICATE OF SERVICE of supplemental responses to plf's first consoliated discovery requests by defendant Scientific Games (PSM) (Entered: 09/14/2001)
09/17/2001	28	CERTIFICATE OF COURT REPORTER re: deposition of Donna Abele on behalf of the plt : (KBJ) (Entered: 09/17/2001)
09/17/2001	29	CERTIFICATE OF COURT REPORTER re:videotaped deposition of Duane Umland taken on behalf of the dft : (KBJ) (Entered: 09/17/2001)
09/17/2001	30	Joint MOTION by defendant, plaintiff for protective order (ICMSUSER) (Entered: 09/18/2001)
10/02/2001	31	CERTIFICATE OF COURT REPORTER re: deposition of Nancy Kimmen-Bouton taken on behalf of the dft; 9/13/01 : (KBJ) (Entered: 10/02/2001)
10/02/2001	32	CERTIFICATE OF COURT REPORTER re: deposition of Nancy Kimmen-Bouton taken on behalf of the dft; 8/29/01 : (KBJ) (Entered: 10/02/2001)
10/04/2001	33	MEDIATION REFERENCE ORDER by Magistrate Judge David L. Piester - case is referred to John C Brownrigg - objection to this order shall be submitted w/in 7 working days; case is stayed until further order of the court - COPIES MAILED, (KBJ) (Entered: 10/09/2001)
10/19/2001	34	CERTIFICATE OF COURT REPORTER re: reporter's affidavit of Duane Umland's refusal to sign deposition taken on 8/28/01 : (KBJ) (Entered: 10/19/2001)
10/19/2001	35	CERTIFICATE OF COURT REPORTER re: reporter's affidavit of Donna Abele's refusal to sign depositon taken on 8/27/01 : (KBJ) (Entered: 10/19/2001)
11/06/2001	36	CERTIFICATE OF COURT REPORTER re: reporter's affidavit of witness Nancy Kimmen refusal to sign deposition; taken on 9/13/01 : (KBJ) (Entered: 11/06/2001)
11/09/2001	37	MEDIATION CLOSURE NOTICE by John C. Brownrigg; mediation scheduled on 11/8/01; all parties mediated in good faith and no agreement was reached; evaluation forms handed out to participants and attorneys (JSF) Modified on

		11/13/2001 (Entered: 11/09/2001)
11/20/2001	38	PROTECTIVE ORDER by Magistrate Judge David L. Piester granting joint motion for protective order [30-1]; protective order includes such documents, materials, and information shall be identified as confidential, and shall be considered confidential, and subject to the protective order - COPIES MAILED (KBJ) (Entered: 11/21/2001)
11/21/2001	39	ORDER by Magistrate Judge David L. Piester - jury trial set for 2/19/02 for a duration of four trial days in Lincoln, Nebraska - pretrial conference set for 9:00am on 1/11/02 - COPIES MAILED [EOD Date 11/21/01] (KBJ) (Entered: 11/21/2001)
12/05/2001	40	JOINT MOTION by defendant Scientific Games, and plaintiff EEOC for an extension of progression order ddls , and to continue pretrial conference and trial (KBJ) (Entered: 12/05/2001)
12/10/2001	41	CERTIFICATE OF SERVICE by plaintiff EEOC of their first consolidated discovery requests (KBJ) (Entered: 12/10/2001)
12/10/2001	42	CERTIFICATE OF SERVICE by plaintiff EEOC of their response to dft's first set of interrogatories and their response to dft's first requests for the production of documents and things (KBJ) (Entered: 12/10/2001)
12/10/2001	43	CERTIFICATE OF SERVICE by plaintiff EEOC of its Second Consolidated Discovery Requests. (RDB) (Entered: 12/10/2001)
12/18/2001	44	CERTIFICATE by plaintiff EEOC of their third consolidated discovery requests (KBJ) (Entered: 12/18/2001)
12/28/2001	45	ORDER by Magistrate Judge David L. Piester granting joint motion for an extension of progression order ddls [40-1], and joint motion to continue pretrial conference and trial [40-2] - jury trial set for 9:00 4/8/02 - pretrial conference set 10:00 3/18/02 - deposition ddl set for 2/15/02 - COPIES MAILED [EOD Date 12/31/01] (KBJ) (Entered: 12/31/2001)
01/04/2002	46	MOTION by defendant Scientific Games for extension of time to respond to plf's second and third set of discovery requests (KBJ) (Entered: 01/04/2002)
01/07/2002	47	ORDER by Magistrate Judge David L. Piester granting dft's motion for extension of time to respond to plf's second and third set of discovery requests [46-1]; dft is granted an extension of time up to and including 1/18/02 to respond to discovery requests - COPIES MAILED [EOD Date 1/8/02] (BMH) (Entered: 01/08/2002)
01/10/2002	48	CERTIFICATE OF SERVICE by plaintiff EEOC of serving designation of expert witness (JAE) (Entered: 01/10/2002)
01/14/2002	49	MOTION by defendant Scientific Games for partial summary judgment on plf's claim of damages (KBJ) (Entered: 01/15/2002)
01/14/2002	50	CERTIFICATE OF SERVICE by defendant Scientific Games of their motion for partial sum jgm, index of evidence in support of said motion, and dft's brief in support of saidr motion (KBJ) (Entered: 01/15/2002)
01/14/2002	51	INDEX OF EVIDENCE by defendant Scientific Games in support of motion for partial summary judgment [49-1]; with affidavits of Dom Maclean and James

		Quinn; ATTACHMENT IN SEPARATE FOLDER (KBJ) (Entered: 01/15/2002)
01/22/2002	52	CERTIFICATE OF SERVICE by defendant Scientific Games of serving its Second Supplemental Responses to Plaintiff's First Consolidated Discovery Requests (RDB) (Entered: 01/23/2002)
01/22/2002	53	CERTIFICATE OF SERVICE by defendant Scientific Games of serving its Answers and Responses to Plaintiff's Second Consolidated Discovery Requests (RDB) (Entered: 01/23/2002)
01/22/2002	54	CERTIFICATE OF SERVICE by defendant Scientific Games of serving its Answers and Responses to Plaintiff's Third Consolidated Discovery Requests (RDB) (Entered: 01/23/2002)
01/25/2002	55	CERTIFICATE OF SERVICE by defendant Scientific Games of their supplemental answers and responses to plf's discovery requests (KBJ) (Entered: 01/25/2002)
01/31/2002	56	AMENDED INDEX OF EVIDENCE by defendant Scientific Games in support of motion for partial summary judgment [49-1]; with amended affidavit of Don Maclean; ATTACHMENT IN SEPARATE FOLDER (KBJ) (Entered: 02/01/2002)
01/31/2002	57	CERTIFICATE OF SERVICE by defendant Scientific Games of their amended index of evidence and dft's supplemental disclosures (KBJ) (Entered: 02/01/2002)
02/06/2002	58	MOTION (unopposed) by plaintiff EEOC for extension of time to respond to dft's motion for partial sum jgm (KBJ) (Entered: 02/06/2002)
02/11/2002	59	PROOF OF SERVICE by defendant Scientific Games of Notary Public Subpoena Duces Tecum on 2/5/02 (KBJ) (Entered: 02/11/2002)
02/11/2002	60	MOTION by plaintiff EEOC for an extension of deposition ddl for limited purposes of conducting four depositions (KBJ) (Entered: 02/11/2002)
02/13/2002	61	ORDER by Judge Warren K. Urbom granting plf's unopposed motion for extension of time to respond to dft's motion for partial jgm [58-1]; plf shall on or before 2/27/02, file, submit, and serve its response to the dft's motion for partial sum jgm - COPIES MAILED [EOD Date 2/13/02] (KBJ) (Entered: 02/13/2002)
02/15/2002	62	MOTION by defendant Scientific Games for limited extension of ddl for motions in limine (KBJ) (Entered: 02/15/2002)
02/15/2002	63	MOTION by defendant Scientific Games for limited extension of deposition ddl (KBJ) (Entered: 02/15/2002)
02/15/2002	64	NOTICE of dft's pre-trial disclosure of anticipated non-expert witnesses Rule(a)(3)(A) by defendant Scientific Games (KBJ) (Entered: 02/20/2002)
02/22/2002	65	CERTIFICATE OF SERVICE by defendant Scientific Games of their fourth supplemental responses to plf's first consolidated discovery requests disclosures (KBJ) (Entered: 02/25/2002)
02/22/2002	66	SECOND AMENDED INDEX OF EVIDENCE by defendant Scientific Games in support of motion for partial summary judgment [49-1] (KBJ) (Entered: 02/25/2002)

		02/25/2002)
02/22/2002	67	CERTIFICATE OF SERVICE by defendant Scientific Games of their second amended index in support of motion for partial sum jgm (KBJ) (Entered: 02/25/2002)
02/25/2002	68	MOTION by plaintiff EEOC for leave to file reply in support of plf's motion for extension of depo ddl for limited purposes ; with attached reply (KBJ) (Entered: 02/25/2002)
02/25/2002	69	MOTION by plaintiff EEOC for order to reschedule time for pretrial conference (KBJ) (Entered: 02/25/2002)
02/26/2002	70	CERTIFICATE OF SERVICE by defendant Scientific Games Inc., of their supplemental responses to plf's second consolidated discovery requests (KBJ) (Entered: 02/26/2002)
02/27/2002	71	MOTION by plaintiff EEOC for oral argument of dft's motion for partial sum jgm (KBJ) (Entered: 02/28/2002)
02/27/2002	72	INDEX OF EVIDENCE by plaintiff EEOC in support of plf's response to dft's motion for partial sum jgm; ATTACHMENT IN SEPARATE FOLDER (KBJ) Modified on 02/28/2002 (Entered: 02/28/2002)
03/04/2002	73	MEMORANDUM AND ORDER: by Magistrate Judge David L. Piester granting in part, parties' motions for limited extension of ddl [63-1] and [60-1], the depositions of Alvin Gaines, Carolyn Behrens, Jim L Klaasmeyer, John Woodshank, and Sovan Tum may be taken as arranged by counsel after the depo ddl; the motion of the dft for extension of time to file Daubert motion in limine [62-1] is denied - COPIES MAILED [EOD Date 3/4/02] (KBJ) (Entered: 03/04/2002)
03/04/2002	74	CERTIFICATE OF SERVICE by plaintiff EEOC of their supplemental Rule 26(a) disclosures (KBJ) (Entered: 03/05/2002)
03/04/2002	75	NOTICE by plaintiff EEOC of their pre-trial disclosure of anticipated non-expert witnesses pursuant to FRCP 26(a)(3) (KBJ) (Entered: 03/05/2002)
03/07/2002	76	MOTION by defendant Scientific Games for leave to file a reply brief and reply afdt to plf's response to dft's mtn for partial sum jgm (JAE) (Entered: 03/08/2002)
03/07/2002	77	MEMORANDUM AND ORDER: by Judge Warren K. Urbom denying dft's motion for partial summary judgment [49-1] - COPIES MAILED [EOD Date 3/8/02] (JAE) (Entered: 03/08/2002)
03/08/2002	78	ORDER by Judge Warren K. Urbom denying dft's motion for leave to file a reply brief and reply afdt to plf's response to mtn for partial sum jgm [76-1] as moot - COPIES MAILED [EOD Date 3/12/02] (KBJ) (Entered: 03/12/2002)
03/12/2002	79	ORDER by Magistrate Judge David L. Piester granting motion for order to reschedule time for pretrial conference [69-1]; pretrial conference rescheduled for 4:00 p.m. on 3/18/02 - COPIES MAILED [EOD Date 3/12/02] (KMG) (Entered: 03/12/2002)
03/12/2002	80	NOTICE by plaintiff EEOC of their Amended pretrial disclosures of anticipated non-expert witnesses (KBJ) (Entered: 03/13/2002)

03/12/2002	81	CERTIFICATE OF SERVICE by plaintiff EEOC of their second supplemental disclosures (KBJ) (Entered: 03/13/2002)
03/15/2002	82	ORDER by Magistrate Judge David L. Piester denying motion for leave to file reply in support of plf's motion for extension of depo ddl for limited purposes [68-1] as moot - COPIES MAILED [EOD Date 3/15/02] (KMG) (Entered: 03/15/2002)
03/15/2002	83	EXHIBIT LIST by defendant Scientific Games for trial dates 4/8/02 - 4/12/02 (KBJ) (Entered: 03/19/2002)
03/18/2002	84	CERTIFICATE OF SERVICE by plaintiff EEOC of their supplemental report of expert witness (KBJ) (Entered: 03/19/2002)
03/18/2002	85	FIRST MOTION by plaintiff EEOC in limine of MacLean testimony about the Umland interview in July of 1997 ; with attachments (KBJ) Modified on 03/19/2002 (Entered: 03/19/2002)
03/18/2002	86	SECOND MOTION by plaintiff EEOC in limine of post-decision events, Klaasmeyer and Woodshank testimony (KBJ) (Entered: 03/19/2002)
03/18/2002	87	THIRD MOTION by plaintiff EEOC in limine of employee reprimand of Duane Umland (KBJ) (Entered: 03/19/2002)
03/18/2002	88	MOTION by defendant Scientific Games in limine for an order prohibiting plf from calling certain witnesses (KBJ) (Entered: 03/20/2002)
03/18/2002	89	CERTIFICATE OF SERVICE by defendant Scientific Games o their motions in limine, index of evidence in support of motions in limine, and dft's brief in support of motions in limine (KBJ) (Entered: 03/20/2002)
03/18/2002	90	INDEX OF EVIDENC by defendant Scientific Games in support of dft's motions in limine [87-1]; with affidavit of James Quinn; ATTACHMENT IN SEPARATE FOLDER (KBJ) Modified on 03/20/2002 (Entered: 03/20/2002)
03/18/2002	91	CERTIFICATE OF SERVICE by defendant Scientific Games of their supplemental answers to plf's discovery requests (KBJ) (Entered: 03/20/2002)
04/01/2002	92	CERTIFICATE OF COURT REPORTER re: deposition of Olga Soto taken on behalf of the dft on 3/18/02 : (KBJ) (Entered: 04/02/2002)
04/19/2002	93	JOINT STIPULATION (MOTION) by defendant Scientific Games, plaintiff EEOC to dismiss complaint and claims with prejudice, each party to bear its own costs ; w/attachments (JAE) (Entered: 04/22/2002)
04/24/2002	94	ORDER by Judge Warren K. Urbom granting joint motion to dismiss complaint and claims with prejudice, each party to bear its own costs [93-1] - COPIES MAILED [EOD Date 4/24/02] (KBJ) (Entered: 04/24/2002)

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