

R/D, TERMED

U.S. District Court
District of New Mexico - Version 3.0 (Albuquerque)
CIVIL DOCKET FOR CASE #: 1:02-cv-01213-BB-LAM

EEOC v. Bell Gas Incorporate, et al
Assigned to: District Judge Bruce D. Black
Referred to: Magistrate Judge Lourdes A. Martinez
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/26/2002
Date Terminated: 09/22/2004
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **C Emanuel Smith**
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V.

Defendant

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Defendant

Ballew Distributing Inc.

represented by **Debra J. Moulton**
 (See above for address)
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Date Filed	#	Docket Text
09/26/2002	1	COMPLAINT for employment discrimination w/jury demand (1 Summons(es) issued) (referred to Magistrate Judge Leslie C. Smith) (ed) (Entered: 09/27/2002)
09/26/2002		LETTER re: consent to proceed before a US Magistrate Judge (ed) (Entered: 09/27/2002)
10/11/2002	2	NOTICE of consent to proceed before a US Magistrate Judge by plaintiff (ed) (Entered: 10/16/2002)
12/11/2002	3	WAIVER OF SUMMONS upon defendant Ballew Distributing on 11/7/02 (sl) (Entered: 12/13/2002)
12/16/2002	4	MOTION by plaintiff EEOC for entry of default as to Bell Gas Incorporat, Ballew Distributing (sl) Modified on 01/06/2003 (Entered: 12/17/2002)
12/16/2002	5	AFFIDAVIT of Veronica A. Molina in support of motion for entry of default as to Bell Gas Incorporat, Ballew Distributing [4-1] (sl) Modified on 01/06/2003 (Entered: 12/17/2002)
12/17/2002	6	PRAECIPE: by plaintiff for clerk's entry of default against defts (only 1 summons issued) (sl) (Entered: 12/20/2002)
12/17/2002	8	AMENDED CERTIFICATE of service by plaintiff of motion for default to counsel on 12/17/02 (sl) Modified on 12/23/2002 (Entered: 12/23/2002)

12/20/2002	7	CLERK'S ENTRY OF DEFAULT as to defendant Ballew Distributing (cc: all counsel*) (sl) (Entered: 12/23/2002)
12/20/2002	9	ENTRY OF APPEARANCE for Bell Gas Incorporate, Ballew Distributing by Debra J. Moulton (sl) (Entered: 12/23/2002)
12/23/2002	10	ANSWER by defendants Bell Gas Incorporate and Ballew Distributing [1-1] (sl) (Entered: 12/26/2002)
12/23/2002	11	MOTION by Bell Gas Incorporate, Ballew Distributing to set aside default (sl) (Entered: 12/26/2002)
12/30/2002	12	MINUTE ORDER: Case reassigned from Magistrate Judge Karen B. Molzen to Chief Judge James A. Parker (cc: all counsel*) (sl) (Entered: 01/02/2003)
01/03/2003	13	RESPONSE by plaintiff to defts' motion to set aside default [11-1] (sl) (Entered: 01/08/2003)
01/03/2003	14	APPENDIX filed by Veronica Molina in support of response to motion to set aside clerk's entry of default [13-1] (sl) (Entered: 01/08/2003)
01/13/2003	15	MOTION by plaintiff to strike deft's answer filed 12/23/02 (sl) (Entered: 01/14/2003)
01/16/2003		SUMMONS issued as to defendant Bell Gas Incorporate (ed) (Entered: 01/17/2003)
01/21/2003	16	NOTICE by defendants of completion for defts' opposed motion to set aside Clerk's enty of default (sl) (Entered: 01/22/2003)
01/21/2003	18	REPLY by defendant Ballew Distributing to pltf's response to motion to set aside default [11-1] (seal) (Entered: 01/23/2003)
01/22/2003	17	MOTION by defendant for order to initiate electronic filing (ed) (Entered: 01/23/2003)
01/27/2003	20	RESPONSE by defendant Ballew Distributing to pltf's motion to strike deft's answer filed 12/23/02 [15-1] (sl) (Entered: 01/28/2003)
01/27/2003	21	EXHIBITS to their reply in support of motion to set aside Clerk's Entry of Default by defendant (sl) (Entered: 01/28/2003)
01/28/2003	19	ORDER by Magistrate Judge Leslie C. Smith granting motion for order to initiate electronic filing [17-1] (cc: all counsel*) (sl) (Entered: 01/28/2003)
01/30/2003	22	REPLY by defendants to response to motion to set aside default [11-1] (sl) (Entered: 01/30/2003)
02/06/2003	23	ANSWER by defendant Bell Gas Incorporate [1-1] (sl) (Entered: 02/07/2003)
02/13/2003	24	REPLY by plaintiff to deft's response to motion to strike deft's answer filed 12/23/02 [15-1] (sl) (Entered: 02/13/2003)

02/13/2003	25	NOTICE by plaintiff of completion of briefing re motion to strike deft's answer (sl) (Entered: 02/13/2003)
02/25/2003	26	NOTICE of hearing before Chief Judge James A. Parker on motion all pending motions [15-1] [11-1] [4-1] at 10:30 am on 3/7/03 in Albuquerque, NM (cc: all counsel*) (sl) Modified on 03/04/2003 (Entered: 02/26/2003)
03/05/2003	27	STIPULATED NOTICE by plaintiff withdrawal of motion for default filed 12/6/02 and opposed motion to strike defts' answer filed 1/13/03 (sl) (Entered: 03/06/2003)
03/13/2003	28	ORDER by Chief Judge James A. Parker granting defts' motion to set aside default [11-1] [7-1] (cc: all counsel) (sl) (Entered: 03/13/2003)
04/03/2003	29	MINUTE ORDER: Case referred from Magistrate Judge Leslie C. Smith to Magistrate Judge Lourdes A. Martinez (cc: all counsel*) (sl) (Entered: 04/03/2003)
04/03/2003	30	INITIAL SCHEDULING ORDER by Magistrate Judge Leslie C. Smith Rule 16 scheduling conference set for 6/4/03 at 11:30 am; provisional discovery plan and IPTR due on 5/28/03 (cc: all counsel*) (sl) (Entered: 04/03/2003)
05/20/2003	31	OPPOSED MOTION by plaintiff to consolidate cases with CIV 02-1212 (sl) (Entered: 05/20/2003)
05/20/2003	32	MEMORANDUM by plaintiff in support of motion to consolidate cases with CIV 02-1212 [31-1] (sl) (Entered: 05/20/2003)
05/27/2003	33	CERTIFICATE of service by defendants of initial disclosures to counsel on 5/27/03 * (sl) (Entered: 05/27/2003)
05/28/2003	34	CERTIFICATE of service by plaintiff of initial disclosures to counsel on 5/28/03 (sl) (Entered: 05/29/2003)
05/28/2003	35	PROVISIONAL DISCOVERY PLAN by parties (sl) (Entered: 05/29/2003)
06/02/2003	36	RESPONSE by defendants to pltf's motion to consolidate cases with CIV 02-1212 [31-1]* (sl) (Entered: 06/02/2003)
06/06/2003	37	REPLY by plaintiff to deft's response to motion to consolidate cases with CIV 02-1212 [31-1] * (sl) (Entered: 06/06/2003)
06/06/2003	38	NOTICE by plaintiff of completion of briefing on motion to consolidate * (sl) (Entered: 06/06/2003)
06/16/2003	39	ORDER by District Judge Bruce D. Black granting motion to consolidate cases with CIV 02-1212 [31-1] 1:02-cv-1212 with member cases 1:02-cv-1213 (cc: all counsel*) (sl) (Entered: 06/16/2003)
03/30/2004	41	MOTION by defendant Bell Gas Inc. to extend time to file reply briefs until 4/15/04 * (sl) Modified on 04/01/2004 (Entered: 03/30/2004)

04/01/2004	42	ORDER by District Judge Bruce D. Black granting deft's motion to extend time to file reply briefs until 4/15/04 [41-1] (cc: all counsel) (sl) (Entered: 04/01/2004)
04/14/2004	43	MOTION by defendants to extend time to file reply briefs until 4/23/04 * (sl) (Entered: 04/15/2004)
04/16/2004	44	ORDER by District Judge Bruce D. Black granting defts' motion to extend time to file reply briefs until 4/23/04 [43-1] (cc: all counsel) (sl) (Entered: 04/16/2004)
04/23/2004	45	MEMORANDUM by plaintiff in support of consolidation of Civ 02-1212 and 02-1213* (sl) (Entered: 04/26/2004)
04/30/2004	46	NOTICE by defendants of completion of briefing on motion for summary judgment * (sl) (Entered: 04/30/2004)
06/24/2004	47	PROPOSED FINDINGS AND RECOMMENDED DISPOSITION by Magistrate Judge Lourdes Martinez (cc: all counsel*) (sl) (Entered: 06/24/2004)
07/14/2004	48	ORDER by District Judge Bruce D. Black adopting MAGISTRATE JUDGE'S PROPOSED FINDINGS AND RECOMMENDED DISPOSITION [47-1] and setting this case on the Court's October 2004 trial calendar (cc: all counsel*) (sl) (Entered: 07/14/2004)
07/14/2004	49	NOTICE of hearing before Judge Bruce D. Black Jury selection and trial set for 10/4/04 at 9:00 am in Albuquerque, NM (cc: all counsel*) (sl) (Entered: 07/14/2004)
07/20/2004	50	MEMORANDUM, OPINION, AND ORDER: by District Judge Bruce D. Black denying motions for summary judgment doc#'s 80,82,83,84,85 in CIV 02-1212 (cc: all counsel*) (sl) (Entered: 07/20/2004)
09/22/2004	51	CONSENT DECREE by District Judge William Johnson re settlement dismissing case with prejudice with each party to bear their own attorney fees and costs (cc: all counsel)(sl) Modified on 09/24/2004 (Entered: 09/22/2004)

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