

**U.S. District Court
District of New Mexico – Version 3.2.3 (Albuquerque)
CIVIL DOCKET FOR CASE #: 1:01-cv-00473-MCA-LFG**

EEOC v. Brink's Incorporated
Assigned to: District Judge M. Christina Armijo
Referred to: Magistrate Judge Lorenzo F. Garcia
Demand: \$0
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 04/27/2001
Date Terminated: 01/17/2003
Jury Demand: Both
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.

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Date Filed	#	Docket Text
04/27/2001	<u>1</u>	COMPLAINT re: civil rights w/jury demand (1 Summons(es) issued) (referred to Magistrate Judge Lorenzo F. Garcia) (eg) Modified on 04/30/2001 (Entered: 04/30/2001)
05/10/2001	<u>2</u>	AMENDED COMPLAINT [1-1] by plaintiff EEOC; jury demand (sl) (Entered: 05/10/2001)
06/07/2001	<u>3</u>	ENTRY OF APPEARANCE for defbt by James E Kellett (vv) (Entered: 06/08/2001)
06/07/2001	<u>4</u>	ENTRY OF APPEARANCE for defbt by Claude E. Vance (vv) (Entered: 06/08/2001)
06/11/2001	<u>5</u>	WAIVER OF SERVICE upon defendant Brink's Incorporated on 5/31/01 (sl) (Entered: 06/11/2001)
06/27/2001	<u>6</u>	INITIAL SCHEDULING ORDER by Magistrate Judge Lorenzo F. Garcia Rule 16 scheduling conference set for 8/21/01 @ 10:00 am; provisional discovery plan and IPTR due 8/16/01 (cc: all counsel*) (jrm) (Entered: 06/28/2001)
07/05/2001	<u>7</u>	ANSWER by defendant Brink's Incorporated [2-1] (sl) (Entered: 07/06/2001)
07/25/2001	<u>8</u>	UNOPPOSED MOTION for Extension of time for pltf to serve motions to strike (no date specified) by plaintiff (sl) (Entered: 07/25/2001)
07/26/2001	<u>9</u>	ORDER by Magistrate Judge Lorenzo F. Garcia granting pltf's motion for extension of time until 8/30/01 to serve motion to strike [8-1] (cc: all counsel) (sl) (Entered: 07/26/2001)
07/30/2001	<u>10</u>	NOTICE of hearing before Magistrate Judge Lorenzo F. Garcia Telephonic Rule 16 scheduling conference reset for 8/31/01 at 10:00 am (cc: all counsel*) (sl) (Entered: 07/30/2001)
08/02/2001	<u>11</u>	PROVISIONAL DISCOVERY PLAN by parties (vv) (Entered: 08/03/2001)
08/14/2001	<u>12</u>	CERTIFICATE of service by pltf of initial disclosures to counsel on 8/13/01 (vv) (Entered: 08/15/2001)
08/30/2001	<u>19</u>	MOTION by plaintiff to strike affirmative defenses (sl) Modified on 10/29/2001 (Entered: 10/29/2001)

08/31/2001	<u>13</u>	CLERK'S MINUTES: before Magistrate Judge Lorenzo F. Garcia Rule 16 scheduling conference held (sl) (Entered: 08/31/2001)
09/04/2001	<u>14</u>	ORDER by Magistrate Judge Lorenzo F. Garcia adopting Attorneys Provisional Discovery Plan [11-1] except as modified by IPTR (cc: all counsel*) (sl) (Entered: 09/04/2001)
09/04/2001	<u>15</u>	ORDER by Magistrate Judge Lorenzo F. Garcia assigning standard track and setting pretrial deadlines Discovery cutoff 2/8/02 ; Motion Filing cutoff 4/8/02 ; Pretrial ddl 5/15/02 (cc: all counsel) (sl) (Entered: 09/04/2001)
09/07/2001	<u>16</u>	CERTIFICATE of service by defendant of first request for production of documents and first set of interrogatories to counsel on 8/31/01 (sl) (Entered: 09/07/2001)
09/14/2001	<u>17</u>	INITIAL PRE-TRIAL REPORT by District Judge C. LeRoy Hansen and Magistrate Judge Lorenzo F. Garcia ; Discovery set for 2/8/02 ; mtn filing ddl set for 4/8/02 ; proposed pretrial order due 5/15/02 ; Estimated # of Trial Days: 5-6; Chances of Settlement: poor (cc: all counsel) (sl) Modified on 10/01/2001 (Entered: 09/14/2001)
10/11/2001	<u>18</u>	CERTIFICATE of service by plaintiff of answers and objections to def't's first set of request for production of documents, answers and objection to first set of interrogatories to counsel on 10/10/01 (sl) (Entered: 10/11/2001)
10/26/2001	<u>20</u>	MEMORANDUM by plaintiff in support of motion to strike affirmative defenses [19-1] (sl) (Entered: 10/29/2001)
10/26/2001	<u>21</u>	RESPONSE by defendant to pltf's motion to strike affirmative defenses [19-1] (sl) (Entered: 10/29/2001)
10/26/2001	<u>22</u>	REPLY by plaintiff to def't's response to motion to strike affirmative defenses [19-1] (sl) (Entered: 10/29/2001)
11/02/2001	<u>23</u>	ORDER by Magistrate Judge Lorenzo F. Garcia setting settlement conference for 3/29/02 at 9:00 am (cc: all counsel*) (sl) Modified on 11/09/2001 (Entered: 11/05/2001)
11/06/2001	<u>24</u>	CERTIFICATE by plaintiff of service of 1st set of interrogs & request for production to counsel on 10/31/01 (eg) (Entered: 11/07/2001)
11/27/2001	<u>25</u>	MINUTE ORDER: Case reassigned from Judge C. LeRoy Hansen to District Judge M. C. Armijo (cc: all counsel*) (sl) (Entered: 11/28/2001)
12/13/2001	<u>26</u>	CERTIFICATE of service by defendant of responses and objections to pltf's discovery requests to counsel on 12/4/01 (sl) (Entered: 12/13/2001)
12/26/2001	<u>27</u>	UNOPPOSED MOTION by plaintiff to extend time until 1/24/02 in which to serve mtn to compel (jrm) (Entered: 12/26/2001)
12/27/2001	<u>28</u>	ORDER by Magistrate Judge Lorenzo F. Garcia granting pltf's motion to extend time until 1/24/02 in which to serve def't with a mtn to compel responses [27-1] (cc: all counsel) (ild) (Entered: 12/27/2001)
01/03/2002	<u>29</u>	CERTIFICATE by plaintiff of service of 2nd request for production & 1st request for admissions to counsel on 01/02/02 (eg) (Entered: 01/07/2002)
01/22/2002	<u>30</u>	JOINT MOTION by plaintiff to extend some case deadlines (sl) (Entered: 01/22/2002)
01/23/2002	<u>31</u>	ORDER by Magistrate Judge Lorenzo F. Garcia granting joint motion to extend some case deadlines [30-1] Discovery cutoff 2/22/02 ; Motion Filing cutoff 5/2/02 ; Pretrial order ddl 6/5/02 (cc: all counsel) (sl) (Entered: 01/24/2002)
02/12/2002	<u>35</u>	MOTION by plaintiff to compel def't to fully respond to EEOC's interrogatory No. 15 (sl) Modified on 04/16/2002 (Entered: 03/18/2002)
02/20/2002	<u>32</u>	CERTIFICATE of service by defendant of responses and objections to pltf's discovery request (sl) (Entered: 02/20/2002)
03/07/2002	<u>33</u>	ORDER by Magistrate Judge Lorenzo F. Garcia vacating settlement conference and directing parties to proceed to private settlement facilitation (cc: all counsel*) (sl) (Entered: 03/07/2002)

03/07/2002	<u>34</u>	ORDER by Magistrate Judge Lorenzo F. Garcia extending pretrial deadlines Motion Filing cutoff 6/3/02 ; Pretrial order ddl 7/5/02 (cc: all counsel*) (sl) (Entered: 03/07/2002)
03/15/2002	<u>36</u>	MEMORANDUM by plaintiff in support of motion to compel deft to fully respond to EEOC's interrogatory No. 15 [35-1] (sl) (Entered: 03/18/2002)
03/15/2002	<u>37</u>	AFFIDAVIT of Loretta Medina in support of motion to compel deft to fully respond to EEOC's interrogatory No. 15 [35-1] (sl) (Entered: 03/18/2002)
03/15/2002	<u>38</u>	RESPONSE by defendant to motion to compel deft to fully respond to EEOC's interrogatory No. 15 [35-1] (sl) (Entered: 03/18/2002)
03/15/2002	<u>39</u>	DECLARATION of Greg Hanno in support of motion response [38-1] (sl) (Entered: 03/18/2002)
03/15/2002	<u>40</u>	DECLARATION of Kimberly G. Baldwin in support response [38-1] (sl) Modified on 04/16/2002 (Entered: 03/18/2002)
03/15/2002	<u>41</u>	REPLY by plaintiff to response to motion to compel deft to fully respond to EEOC's interrogatory No. 15 [35-1] (sl) (Entered: 03/18/2002)
03/15/2002	<u>42</u>	DECLARATION of Loretta Medina in support of reply [41-1] (sl) Modified on 04/16/2002 (Entered: 03/18/2002)
04/01/2002	<u>43</u>	MEMORANDUM, OPINION, AND ORDER: by Magistrate Judge Lorenzo F. Garcia denying pltf's motion to compel deft to fully respond to EEOC's interrogatory No. 15 [35-1] (cc: all counsel*) (sl) (Entered: 04/01/2002)
04/18/2002	<u>44</u>	JOINT MOTION for extension of non-dispositive motions deadline by parties (sl) (Entered: 04/18/2002)
04/19/2002	<u>45</u>	ORDER by Magistrate Judge Lorenzo F. Garcia granting joint motion until 6/3/02 to file non-dispositive motions [44-1] (cc: all counsel*) (sl) (Entered: 04/19/2002)
04/30/2002	<u>48</u>	MOTION by defendant Brink's Incorporated for summary judgment (sl) (Entered: 06/05/2002)
05/17/2002	<u>46</u>	UNOPPOSED MOTION by plaintiff to exceed page limitation for EEOC's response to deft's motion for summary judgment (sl) (Entered: 05/20/2002)
05/21/2002	<u>47</u>	ORDER by District Judge M. C. Armijo granting pltf's motion to exceed page limitation for EEOC's response to deft's motion for summary judgment [46-1] (cc: all counsel) (sl) (Entered: 05/21/2002)
06/03/2002	<u>49</u>	MEMORANDUM by defendant Brink's Incorporated in support of motion for summary judgment [48-1] (sl) (Entered: 06/05/2002)
06/03/2002	<u>50</u>	AFFIDAVIT of Derrick Moreau in support of motion for summary judgment [48-1] (sl) (Entered: 06/05/2002)
06/03/2002	<u>51</u>	APPENDIX filed by defendant Brink's Incorporated re memorandum in support of motion for summary judgment [49-1] (sl) Modified on 06/13/2002 (Entered: 06/05/2002)
06/03/2002	<u>52</u>	RESPONSE by plaintiff to deft's motion for summary judgment [48-1] (sl) (Entered: 06/05/2002)
06/03/2002	<u>53</u>	APPENDIX filed by plaintiff re response [52-1] (sl) Modified on 06/13/2002 (Entered: 06/05/2002)
06/03/2002	<u>54</u>	REPLY by defendant to pltf's response to motion for summary judgment [48-1] (sl) (Entered: 06/05/2002)
06/03/2002	<u>55</u>	APPENDIX filed by defendant re reply [54-1] (sl) Modified on 06/13/2002 (Entered: 06/05/2002)
06/20/2002	<u>56</u>	NOTICE by plaintiff of errata to response in opposition to deft's 4/30/02 motion for summary judgment (sl) (Entered: 06/20/2002)

07/03/2002	<u>57</u>	MOTION by deft in limine to exclude pltf's use of employment data & statistical information at trial (bap) (Entered: 07/03/2002)
07/03/2002	<u>58</u>	MEMORANDUM by deft in support of motion in limine to exclude pltf's use of employment data & statistical information at trial [57-1] (bap) (Entered: 07/03/2002)
07/03/2002	<u>59</u>	DECLARATION of James Kellett in support of deft's memorandum of law in support of motion in limine to exclude pltf's use of employment data & statistical information at trial [57-1] (bap) (Entered: 07/03/2002)
07/03/2002	<u>60</u>	RESPONSE by pltf in opposition to deft's motion in limine to exclude pltf's use of employment data & statistical information at trial [57-1] (bap) (Entered: 07/03/2002)
07/03/2002	<u>61</u>	AFFIDAVIT of Loretta Medina in support of response in opposition to deft's motion in limine to exclude pltf's use of employment data & statistical information at trial [60-1] (bap) (Entered: 07/03/2002)
07/03/2002	<u>62</u>	REPLY by deft to pltf's response in opposition to deft's motion in limine to exclude pltf's use of employment data & statistical information at trial [57-1] (bap) (Entered: 07/03/2002)
07/03/2002	<u>63</u>	MOTION by deft in limine to exclude pltf's use of evidence relating to events occurring after November 1999 (bap) (Entered: 07/03/2002)
07/03/2002	<u>64</u>	MEMORANDUM of Law by deft in support of motion in limine to exclude pltf's use of evidence relating to events occurring after November 1999 [63-1] (bap) (Entered: 07/03/2002)
07/03/2002	<u>65</u>	DECLARATION by James Kellett in support of defts memorandum of law in support of motion in limine to exclude pltf's use of evidence relating to events occurring after November 1999 [63-1] (bap) (Entered: 07/03/2002)
07/03/2002	<u>66</u>	RESPONSE by pltf in opposition to deft's motion in limine to exclude pltf's use of evidence relating to events occurring after November 1999 [63-1] (bap) (Entered: 07/03/2002)
07/03/2002	<u>67</u>	AFFIDAVIT of Loretta Medina in support of pltf's response in opposition to deft's [66-1], motion in limine to exclude pltf's use of evidence relating to events occurring after November 1999 [63-1] (bap) (Entered: 07/03/2002)
07/03/2002	<u>68</u>	MOTION by pltf in limine to exclude testimony or documentary evidence relating to Elizabeth Montoya (jrm) (Entered: 07/05/2002)
07/03/2002	<u>69</u>	MEMORANDUM by pltf in support of mtn in limine to exclude testimony or documentary evidence relating to Elizabeth Montoya [68-1] (jrm) (Entered: 07/05/2002)
07/03/2002	70	AFFIDAVIT of Loretta Medina re: mtn in limine to exclude testimony or documentary evidence relating to Elizabeth Montoya [68-1] (jrm) (Entered: 07/05/2002)
07/03/2002	<u>71</u>	RESPONSE in opposition by deft to mtn in limine to exclude testimony or documentary evidence relating to Elizabeth Montoya [68-1] (jrm) (Entered: 07/05/2002)
07/03/2002	<u>72</u>	DECLARATION by James E Kellett in support of deft's response in opposition re: mtn in limine to exclude testimony or documentary evidence relating to Elizabeth Montoya [68-1] (jrm) (Entered: 07/05/2002)
07/03/2002	<u>73</u>	REPLY by pltf to response in opposition to mtn in limine to exclude testimony or documentary evidence relating to Elizabeth Montoya [68-1] (jrm) (Entered: 07/05/2002)
07/03/2002	<u>74</u>	AFFIDAVIT of Loretta Medina in support of reply to deft's response in opposition re: mtn in limine to exclude testimony or documentary evidence relating to Elizabeth Montoya [68-1] (jrm) (Entered: 07/05/2002)
07/03/2002	<u>75</u>	MOTION by deft in limine to exclude hearsay testimony of Elizabeth Montoya at trial (bap) (Entered: 07/05/2002)

07/03/2002	<u>76</u>	MEMORANDUM of Law by deft in support of motion in limine to exclude hearsay testimony of Elizabeth Montoya at trial [75-1] (bap) (Entered: 07/05/2002)
07/03/2002	<u>77</u>	DECLARATION of James Kellett in support of deft's memorandum re motion in limine to exclude hearsay testimony of Elizabeth Montoya at trial [75-1] (bap) (Entered: 07/05/2002)
07/03/2002	<u>78</u>	RESPONSE by pltf in opposition to deft's motion in limine to exclude hearsay testimony of Elizabeth Montoya at trial [75-1] (bap) (Entered: 07/05/2002)
07/03/2002	<u>79</u>	AFFIDAVIT of Loretta Medina in support of pltf's response in opposition to deft's motion in limine to exclude hearsay testimony of Elizabeth Montoya at trial [75-1] (bap) (Entered: 07/05/2002)
07/03/2002	<u>80</u>	REPLY by deft to pltf's response in opposition to deft's motion in limine to exclude hearsay testimony of Elizabeth Montoya at trial [75-1] (bap) (Entered: 07/05/2002)
07/03/2002	<u>81</u>	MOTION by deft in limine to exclude lay witness opinion testimony at trial (bap) (Entered: 07/05/2002)
07/03/2002	<u>82</u>	MEMORANDUM of Law by deft in support of motion in limine to exclude lay witness opinion testimony at trial [81-1] (bap) (Entered: 07/05/2002)
07/03/2002	<u>83</u>	DECLARATION of James Kellett in support of deft's memorandum re motion in limine to exclude lay witness opinion testimony at trial [81-1] (bap) (Entered: 07/05/2002)
07/03/2002	<u>84</u>	RESPONSE by pltf in opposition to deft's motion in limine to exclude lay witness opinion testimony at trial [81-1] (bap) (Entered: 07/05/2002)
07/03/2002	<u>85</u>	AFFIDAVIT of Loretta Medina in support of pltf's response in opposition to deft's motion in limine to exclude lay witness opinion testimony at trial [81-1] (bap) (Entered: 07/05/2002)
07/03/2002	<u>86</u>	REPLY by deft to pltf's response to deft's motion in limine to exclude lay witness opinion testimony at trial [81-1] (bap) (Entered: 07/05/2002)
07/09/2002	<u>87</u>	NOTICE of hearing before Judge M. Christina Armijo Pretrial conference set for 3/4/03 at 10:00 am ; Jury trial set for 4/15/03 at 9:00 am in Albuquerque, NM (cc: all counsel*) (sl) (Entered: 07/10/2002)
11/19/2002	<u>88</u>	PRE-TRIAL ORDER by District Judge M. C. Armijo : (cc: all counsel) (jrm) (Entered: 11/19/2002)
12/05/2002	<u>89</u>	ORDER by District Judge M. C. Armijo of consent decree as described herein (cc: all counsel) (sl) (Entered: 12/06/2002)
01/17/2003	<u>90</u>	MINUTE ORDER: by Judge M. Christina Armijo dismissing case (cc: all counsel*) (sl) (Entered: 01/21/2003)