

MTNDDL, REFER, TERMED

U.S. District Court
District of New Mexico - Version 3.0 (Albuquerque)
CIVIL DOCKET FOR CASE #: 1:97-cv-00362-RLP-DJS

EEOC v. Horizon/CMS Healthca
Assigned to: Magistrate Judge Richard L. Puglisi
Referred to: Magistrate Judge Don J. Svet
Demand: \$0
Case in other court: 98-02328
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 03/19/1997
Date Terminated: 08/31/2001
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**
EEOC
3300 N Central Ave
#690
Phoenix, AZ 85012
(602) 640-5033
Fax: 640-5009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

C Gregory Stewart
EEOC
Legal Counsel Office
1801 L Street, NW
Washington, DC 20507
(202) 663-4669
Fax: 663-4639
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kelly M. Humphrey
EEOC
Phoenix District Office
3300 North Central Avenue
#690
Phoenix, AZ 85012-1848
(602) 640-5000
Fax: 640-5009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lauren Elisabeth Eiler
EEOC
Phoenix District Office

3300 North Central Avenue
#690
Phoenix, AZ 85012-1848
(602) 640-5000
Fax: 640-5009
TERMINATED: 09/04/1997
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Loretta F Medina
EEOC
505 Marquette, NW
#900
Albuquerque, NM 87102
(505) 248-5230
Fax: 248-5217
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mary Jo O'Neill
EEOC
Phoenix District Office
3300 North Central Avenue
#690
Phoenix, AZ 85012-2504
(602) 640-5000
Fax: (602) 640-5009
Email: mary.oneill@eeoc.gov
TERMINATED: 11/28/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ralph E Chamness
Equal Employment Opportunity
Commission
3300 N Central Ave
#690
Phoenix, AZ 85012
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Richard R. Trujillo
EEOC
Phoenix District Office
3300 North Central Avenue
#690
Phoenix, AZ 85012-1848
(602) 640-5000
Fax: 640-5009
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Rosalind D Gray
EEOC
Legal Counsel Office
1801 L Street, NW
Washington, DC 20507
(202) 663-4669
Fax: 663-4639
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Veronica A Molina
Equal Employment Opportunity
Commission
Legal Unit
505 Marquette N.W., Suite 900
Albuquerque, NM 87102
(505) 248-5231
Fax: (505) 248-5217
Email: veronica.molina@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**Horizon/CMS Healthcare
Corporation**

represented by **Cindy Jean Lovato-Farmer**
P.O. Box 1663 MS A187
Los Alamos, NM 87545
505 667-1149
Fax: 505 665-4424
Email: cjlf@lanl.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dean E Westman
Millisor & Nobil
9150 South Hills Blvd
#300
Cleveland, OH 44147-3599
(216) 838-8800
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jim Dines
Dines & Gross PC
6301 Indian School Road, NE, Suite
900
Albuquerque, NM 87110

505-889-4050
 Fax: 505-889-4049
 Email: jdines@dineslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Margaret R. McNett
 Blue Cross Blue Shield of NM
 Attn: Legal Department
 PO Box 27630
 Albuquerque, NM 87125-7630
 (505) 816-4104
 Fax: 816-5586
 Email: margaret_mcnett@bcbsnm.com
TERMINATED: 03/23/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/19/1997	1	COMPLAINT w/jury demand by pltf (1 Summons(es) issued) (former employee) Modified on 03/19/1997 (Entered: 03/19/1997)
04/16/1997	2	ENTRY OF APPEARANCE for Horizon/CMS Healthca by Margaret R. McNett (former employee) (Entered: 04/17/1997)
04/16/1997	3	ANSWER by Horizon/CMS Healthca [1-1] (former employee) (Entered: 04/17/1997)
05/21/1997	4	NOTICE by pltf of consent to proceed before the magistrate (kd) (Entered: 05/21/1997)
07/07/1997	5	ENTRY OF APPEARANCE for defendant by Jim M. Dines, Cindy Lovato-Farmer (jrm) (Entered: 07/08/1997)
07/16/1997	6	NOTICE by defendant of consent to proceed before a US Magistrate Judge (jrm) (Entered: 07/16/1997)
08/22/1997	7	MINUTE ORDER: Case referred to Magistrate Don J. Svet (cc: all counsel) (jrm) (Entered: 08/22/1997)
08/29/1997	8	INITIAL SCHEDULING ORDER by Magistrate Don J. Svet ; Rule 16 scheduling conference set for 10/14/97 at 8:30 am; provisional discovery plan and IPTR due 10/6/97 (cc: all counsel) (jrm) (Entered: 08/29/1997)
09/04/1997	9	SUBSTITUTION OF COUNSEL: terminating attorney Lauren Elisabeth Eiler for EEOC and substituting attorney Loretta F. Medina and Veronica Molina (jrm) (Entered: 09/05/1997)
09/25/1997	10	CERTIFICATE of Service by pltf of the initial disclosures to counsel on 9/25/97 (kd) (Entered: 09/25/1997)
09/29/1997	11	CERTIFICATE of service of initial disclosures by defendant to counsel

		on 9/26/97 (jrm) (Entered: 09/30/1997)
10/03/1997	12	PROVISIONAL DISCOVERY PLAN by parties (sl) (Entered: 10/03/1997)
10/08/1997	13	STIPULATED MOTION by defendant for order for admission of non resident attorney (jrm) (Entered: 10/09/1997)
10/10/1997	14	CERTIFICATE of service of 1st supplemental initial disclosures by plaintiff to counsel on 10/8/97 (jrm) (Entered: 10/10/1997)
10/14/1997	15	ORDER by Magistrate Richard L. Puglisi granting the stipulated motion for order for admission of non resident attorney [13-1] Dean E Westman to practice before this Court in association with Dines,Wilson,Gross and Esquivel (cc: all counsel) (jrm) (Entered: 10/14/1997)
10/14/1997	16	CLERK'S MINUTES: before Magistrate Don J. Svet ; Rule 16 scheduling conference HELD (jrm) (Entered: 10/14/1997)
10/24/1997	17	UNOPPOSED MOTION by plaintiff to amend complaint to add additional charging party Elizabeth Johnston (jrm) (Entered: 10/24/1997)
10/24/1997	18	CERTIFICATE of service of 2nd supplemental initial disclosures by plaintiff to counsel on 10/23/97 (jrm) (Entered: 10/24/1997)
10/28/1997	19	ORDER by Magistrate Richard L. Puglisi granting pltf's unopposed motion to amend complaint to add additional charging party Elizabeth Johnston [17-1] (cc: all counsel) (jrm) (Entered: 10/28/1997)
10/31/1997	20	INITIAL PRE-TRIAL REPORT Magistrate Richard L. Puglisi and Magistrate Don J. Svet ; Discovery set for 3/16/98 ;mtn filing ddl set for 5/4/98 ; proposed pretrial order due 5/21/98 ; pretrial conference set for 8:45 am on 7/22/98 ; jury trial set for 9:30 am on 9/21/98 ; Estimated # of Trial Days: 5-7; Chances of Settlement: POSSIBLE (CLERK: jc) (cc: all counsel by jc) (jrm) (Entered: 11/03/1997)
11/06/1997	21	ORDER by Magistrate Don J. Svet setting a mandatory settlement conference on 3/24/98 at 1:30 pm in Albuquerque, NM (cc: all counsel) (jrm) (Entered: 11/06/1997)
11/17/1997	22	MINUTE ORDER SETTING DATE OF JURY TRIAL Pretrial conference set for 7/22/98 at 8:45 am ; Jury trial set for 9/21/98 at 9:30 am, both in Albuquerque, NM, (CLERK: ddc) (cc: all counsel by ddc) (jrm) Modified on 11/20/1997 (Entered: 11/19/1997)
11/20/1997	23	CERTIFICATE of Service by pltf of first set of interrogatories, request for admissions and request for production to counsel on 11/19/97 (former employee) (Entered: 11/20/1997)
11/25/1997	24	AMENDED COMPLAINT [1-1] by plaintiff; jury demand (0 - Summons (es) issued) (jrm) (Entered: 11/25/1997)
12/03/1997	25	ANSWER by defendant to 1st amended complaint [24-1] (jrm) (Entered: 12/04/1997)

12/17/1997	26	UNOPPOSED MOTION by plaintiff to extend deadlines for identification of experts and expert reports (jrm) (Entered: 12/18/1997)
12/19/1997	27	CERTIFICATE of service of response to pltf's 1st request for admissions by defendant to counsel on 12/19/97 (jrm) (Entered: 12/22/1997)
12/22/1997	28	ORDER by Magistrate Don J. Svet granting pltf's unopposed motion to extend deadlines for identification of experts and expert reports [26-1] as described herein (cc: all counsel) (jrm) (Entered: 12/22/1997)
12/22/1997	29	CERTIFICATE of service of response to pltf's 1st request for production by defendant to counsel on 12/22/97 (jrm) (Entered: 12/23/1997)
12/22/1997	30	CERTIFICATE of service of 1st set of interrogs by defendant to counsel on 12/22/97 (jrm) (Entered: 12/23/1997)
01/09/1998	31	UNOPPOSED MOTION by plaintiff to extend time for service of motion to compel answers to interrogs and requests for production (jrm) (Entered: 01/13/1998)
01/09/1998	32	CERTIFICATE of service of request for entry upon land for inspection and other purposes by plaintiff to counsel on 1/9/98 (jrm) (Entered: 01/13/1998)
01/14/1998	33	ORDER by Magistrate Don J. Svet granting pltf's unopposed motion to extend time for service of motion to compel answers to interrogs and requests for production [31-1] Pltf shall have up to and including 2/4/98 to serve a motion to compel on deft (cc: all counsel) (jrm) (Entered: 01/14/1998)
02/09/1998	34	CERTIFICATE of service of 2nd request for production by plaintiff to counsel on 2/6/98 (jrm) (Entered: 02/09/1998)
02/09/1998	35	CERTIFICATE of service by defendant of supplemental response to first set of interrogatories to opposing counsel on 2/9/98 (mjr) (Entered: 02/10/1998)
02/09/1998	36	MINUTE ORDER: amending deadline as described herein [22-2] (CLERK: ddc) (cc: all counsel by ddc) (jrm) (Entered: 02/10/1998)
02/10/1998	37	CERTIFICATE of service of response to pltf's request for entry upon land for inspection and other purposes by defendant to counsel on 2/9/98 (jrm) (Entered: 02/10/1998)
02/10/1998	38	CERTIFICATE of service of supplemental response to pltf's 1st request for admissions by defendant to counsel on 2/10/98 (jrm) (Entered: 02/11/1998)
02/11/1998	39	CERTIFICATE of service of 2nd request for admissions by plaintiff to counsel on 2/10/98 (jrm) (Entered: 02/11/1998)
02/13/1998	40	CERTIFICATE of service of 1st request for production, 1sr set of interrogs and 1st request for admissions by defendant to counsel on 2/13/98 (jrm) Modified on 02/18/1998 (Entered: 02/17/1998)

02/13/1998	41	CERTIFICATE of service of disclosure of expert witnesses by plaintiff to counsel on 2/16/98 (jrm) (Entered: 02/17/1998)
02/13/1998	42	NOTICE by plaintiff of disclosure of expert witnesses (jrm) (Entered: 02/17/1998)
03/02/1998	43	UNOPPOSED MOTION by plaintiff to extend time for service of mtn to compel request for entry upon land for inspection and other purposes (jrm) Modified on 03/04/1998 (Entered: 03/03/1998)
03/05/1998	44	CERTIFICATE of service of supplemental response to pltf's 1st request for production by defendant to counsel on 3/4/98 (jrm) (Entered: 03/05/1998)
03/09/1998	45	ORDER by Magistrate Don J. Svet granting pltf's unopposed motion to extend time for service of mtn to compel request for entry upon land for inspection and other purposes [43-1] as described herein (cc: all counsel) (jrm) (Entered: 03/09/1998)
03/10/1998	46	MOTION by plaintiff to compel deft to fully respond to pltf's discovery requests (jrm) (Entered: 03/11/1998)
03/10/1998	47	MEMORANDUM by plaintiff in support of motion to compel deft to fully respond to pltf's discovery requests [46-1] (jrm) (Entered: 03/11/1998)
03/10/1998	48	RESPONSE by defendant to motion to compel deft to fully respond to pltf's discovery requests [46-1] (jrm) (Entered: 03/11/1998)
03/10/1998	49	REPLY by plaintiff to response to motion to compel deft to fully respond to pltf's discovery requests [46-1] (jrm) (Entered: 03/11/1998)
03/11/1998	50	CERTIFICATE of service of response to 2nd request for production and response to 2nd request for admissions by defendant to counsel on 3/11/98 (jrm) (Entered: 03/11/1998)
03/16/1998	51	UNOPPOSED MOTION by plaintiff to extend time to respond to interogs and requests for production propounded by deft (jrm) (Entered: 03/17/1998)
03/16/1998	52	CERTIFICATE of service of responses to 1st request for admissions by plaintiff to counsel on 3/16/98 (jrm) (Entered: 03/17/1998)
03/18/1998	53	ORDER by Magistrate Don J. Svet granting motion to extend time until 3/19/98 in which to respond to interogs and requests for production propounded by deft [51-1] (cc: all counsel) (jrm) (Entered: 03/18/1998)
03/18/1998	54	ORDER by Magistrate Don J. Svet granting pltf's motion to compel deft to fully respond to pltf's discovery requests [46-1] (cc: all counsel) (jrm) (Entered: 03/18/1998)
03/20/1998	55	CERTIFICATE of service of response to deft's 1st set of interogs and 1st request for production by plaintiff to counsel on 3/19/98 (jrm) (Entered: 03/20/1998)

03/20/1998	56	UNOPPOSED MOTION by defendant to withdraw entry of appearance for attorney Margaret R McNett (jrm) (Entered: 03/23/1998)
03/23/1998	57	CERTIFICATE of service of identification of expert witnesses by defendant to counsel on 3/16/98 (jrm) (Entered: 03/23/1998)
03/23/1998	58	ORDER by Magistrate Richard L. Puglisi for Magistrate Judge Don J Svet granting motion to withdraw entry of appearance for attorney Margaret R McNett [56-1] for Horizon/CMS Healthca (cc: all counsel) (jrm) Modified on 03/23/1998 (Entered: 03/23/1998)
03/24/1998		SETTLEMENT CONFERENCE held before Magistrate Judge Svet, case has not settled (jrm) (Entered: 03/25/1998)
03/26/1998	59	CERTIFICATE of service of supplemental response to pltf's interrog no.18 by defendant to counsel on 3/26/98 (jrm) Modified on 04/16/1998 (Entered: 03/27/1998)
04/07/1998	60	MOTION by plaintiff to extend time within which pltf may conduct discovery (jrm) (Entered: 04/08/1998)
04/07/1998	61	MEMORANDUM by plaintiff in support of motion to extend time within which pltf may conduct discovery [60-1] (jrm) (Entered: 04/08/1998)
04/07/1998	62	(RESPONSE) Memorandum in opposition by defendant to motion to extend time within which pltf may conduct discovery [60-1] (jrm) (Entered: 04/08/1998)
04/07/1998	63	REPLY by plaintiff to (response) memorandum in opposition to motion to extend time within which pltf may conduct discovery [60-1] (jrm) (Entered: 04/08/1998)
04/10/1998	64	ORDER by Magistrate Don J. Svet re: deft's complaine with the Order of 3/18/98 and as described herein (cc: all counsel) (kd) (Entered: 04/10/1998)
04/13/1998	65	JOINT MOTION by parties for order permitting additional discovery depositions (jrm) (Entered: 04/14/1998)
04/14/1998	66	MOTION by plaintiff to compel second request for production (jrm) (Entered: 04/15/1998)
04/14/1998	67	MEMORANDUM by plaintiff in support of motion to compel second request for production [66-1] (jrm) (Entered: 04/15/1998)
04/14/1998	68	RESPONSE by defendant to motion to compel second request for production [66-1] (jrm) (Entered: 04/15/1998)
04/14/1998	69	REPLY by plaintiff to response to motion to compel second request for production [66-1] (jrm) (Entered: 04/15/1998)
04/15/1998	70	ORDER by Magistrate Don J. Svet granting the parties joint mtn for order permitting additional discovery depositions [65-1], all other deadlines scheduled in this case remain as previously imposed, unless otherwise ordered (cc: counsel) (jrm) (Entered: 04/15/1998)

04/20/1998	71	ORDER by Magistrate Don J. Svet granting pltf's mtn to extend time within which pltf may conduct discovery [60-1] (CLERK) (cc: all counsel, electronically) (jrm) (Entered: 04/20/1998)
04/22/1998	73	CERTIFICATE of service of 1st supplemental response to deft's 1st set of interros/3rd disclosure statement by plaintiff to counsel on 4/21/98 (jrm) (Entered: 04/22/1998)
04/22/1998	72	ORDER by Magistrate Don J. Svet granting in part pltf's mtn to compel second request for production [66-1] (CLERK) (cc: all counsel, electronically) (jrm) (Entered: 04/23/1998)
04/23/1998	74	AMENDED MOTION by pltf to extend time w/in which to respond to deft's mtn for summary judgment and to extend deadlines for pltf's mtn for summary judgment and pretrial order (jrm) Modified on 05/11/1998 (Entered: 04/24/1998)
04/23/1998	75	AMENDED MEMORANDUM by plaintiff in support of motion to extend time w/in which to respond to deft's mtn for summary judgment [74-1] and motion to extend deadlines for pltf's mtn for summary judgment and pretrial order [74-2] (jrm) Modified on 05/11/1998 (Entered: 04/24/1998)
04/23/1998	76	RESPONSE by defendant to motion to extend time w/in which to respond to deft's mtn for summary judgment [74-1] and motion to extend deadlines for pltf's mtn for summary judgment and pretrial order [74-2] (jrm) Modified on 05/11/1998 (Entered: 04/24/1998)
04/28/1998	77	ORDER by Magistrate Don J. Svet granting in part pltf's motion to extend time w/in which to respond to deft's mtn for summary judgment [74-1], granting in part motion to extend deadlines for pltf's mtn for summary judgment and pretrial order [74-2] (CLERK) (cc: all counsel, electronically) (jrm) Modified on 05/11/1998 (Entered: 04/29/1998)
05/01/1998	78	CERTIFICATE of service by plaintiff of second supplemental response to first set of interrogatories/fourth supplemental disclosure statement to opposing counsel on 4/30/98 (mjr) (Entered: 05/01/1998)
05/04/1998	79	PROTECTIVE ORDER by Magistrate Don J. Svet governing the production of documents regarding the corporate transactions between Horizon/CMS Healthcare Corp, Healthsouth and Intergrated Health Systems as described herein (cc: all counsel) (jrm) Modified on 05/11/1998 (Entered: 05/04/1998)
05/04/1998	80	MOTION by plaintiff for partial summary judgment as to deft's third affirmative defense (jrm) (Entered: 05/05/1998)
05/04/1998	81	MEMORANDUM by plaintiff in support of motion for partial summary judgment as to deft's third affirmative defense [80-1] (jrm) (Entered: 05/05/1998)
05/04/1998	82	AFFIDAVIT of Loretta Medina in support of motion for partial summary judgment as to deft's third affirmative defense [80-1] (jrm) (Entered: 05/05/1998)

05/04/1998	83	SUPPLEMENTAL AFFIDAVIT of Loretta Medina in support of motion for partial summary judgment as to deft's third affirmative defense [80-1] (jrm) (Entered: 05/05/1998)
05/04/1998	84	AFFIDAVIT of Christella Garcia in support of motion for partial summary judgment as to deft's third affirmative defense [80-1] (jrm) (Entered: 05/05/1998)
05/04/1998	85	AFFIDAVIT of Rochelle Smith in support of motion for partial summary judgment as to deft's third affirmative defense [80-1] (jrm) (Entered: 05/05/1998)
05/04/1998	86	(RESPONSE) Memorandum in opposition by defendant to motion for partial summary judgment as to deft's third affirmative defense [80-1] (jrm) (Entered: 05/05/1998)
05/04/1998	87	REPLY by plaintiff to (response) memorandum in opposition to motion for partial summary judgment as to deft's third affirmative defense [80-1] (jrm) (Entered: 05/05/1998)
05/06/1998	88	CERTIFICATE of service of supplemental response to 2nd request for production by defendant to counsel on 5/6/98 (jrm) (Entered: 05/07/1998)
05/07/1998	89	NOTICE of hearing before Magistrate Judge Richard L Puglisi setting hearing on motion for partial summary judgment as to deft's third affirmative defense [80-1] at 9:00 am on 6/24/98 (CLERK) (cc: all counsel, electronically) (jrm) (Entered: 05/08/1998)
05/08/1998	90	CERTIFICATE of service by pltf of third supplemental response to first set of interrogatories and fifth supplemental disclosures statement to counsel on 5/7/98 (former employee) (Entered: 05/11/1998)
05/18/1998	91	UNOPPOSED MOTION by plaintiff to exceed page limitation for response to deft's mtn for summary judgment and pltf's cross-mtn for summary judgment (jrm) (Entered: 05/19/1998)
05/19/1998	92	CERTIFICATE of service of 4th supplemental response to deft's 1st set of interros/6th supplemental disclosure statement by plaintiff to counsel on 5/18/98 (jrm) (Entered: 05/19/1998)
05/21/1998	93	ORDER by Magistrate Don J. Svet granting motion to exceed page limitation for response to deft's mtn for summary judgment and pltf's cross-mtn for summary judgment [91-1] as further described herein (cc: all counsel) (jrm) (Entered: 05/21/1998)
05/27/1998	94	AMENDED NOTICE of hearing before Magistrate Judge Puglisi setting hearing on motion for partial summary judgment as to deft's third affirmative defense [80-1] at 9:00 am on 6/24/98 (cc: all counsel, electronically) (jrm) (Entered: 05/28/1998)
05/29/1998	95	MINUTE ORDER ; Pretrial conference reset for 8/12/98 at 9:00 am; jury selection/trial remains as set 9/21/98 at 9:30 am (cc: all counsel, electronically) (jrm) Modified on 06/29/1998 (Entered: 06/01/1998)

05/29/1998	96	MINUTE ORDER (AMENDED) Pretrial conference reset for 8/12/98 at 9:00 am; jury selection/trial remains as set 9/21/98 at 9:30 am (cc: all counsel, electronically) (jrm) (Entered: 06/01/1998)
06/01/1998	97	MOTION and memorandum in support of by defendant for summary judgment (jrm) (Entered: 06/02/1998)
06/01/1998	98	RESPONSE in opposition by plaintiff to motion for summary judgment [97-1] (jrm) (Entered: 06/02/1998)
06/01/1998	99	REPLY brief by defendant to response to motion for summary judgment [97-1] (jrm) (Entered: 06/02/1998)
06/05/1998	100	NOTICE of hearing before Magistrate Judge Puglisi setting hearing on mtns for summary judgment [97-1] and for partial summary judgment as to deft's third affirmative defense [80-1] at 9:00 am on 6/23/98 (cc: all counsel, electronically) (jrm) (Entered: 06/08/1998)
06/08/1998	101	UNOPPOSED MOTION by deft for leave of court for limited discovery of recently disclosed allegedly aggrieved individuals (jrm) Modified on 06/29/1998 (Entered: 06/09/1998)
06/12/1998	102	ORDER by Magistrate Judge Don J. Svet granting motion for leave of court for limited discovery of recently disclosed allegedly aggrieved individuals [101-1] (cc: all counsel) (jrm) (Entered: 06/12/1998)
06/15/1998	104	NOTICE by plaintiff of filing original notarized affidavits in support of pltf's response to deft's mtn for summary judgment and pltf's cross-mtn for summary judgment (jrm) (Entered: 06/16/1998)
06/15/1998	105	CROSS-MOTION by plaintiff for summary judgment (jrm) (Entered: 06/16/1998)
06/15/1998	106	MEMORANDUM by plaintiff in support of cross-motion for summary judgment [105-1] (jrm) (Entered: 06/16/1998)
06/15/1998	107	RESPONSE by defendant to cross-motion for summary judgment [105-1] (jrm) (Entered: 06/16/1998)
06/15/1998	108	REPLY by plaintiff to response to cross-motion for summary judgment [105-1] (jrm) (Entered: 06/16/1998)
06/15/1998	109	UNOPPOSED MOTION by plaintiff to exceed page limitation for reply to deft's response to cross-mtn for summary judgment (jrm) (Entered: 06/16/1998)
06/16/1998	103	CERTIFICATE of service of 5th supplemental response to deft's 1st set of interogs/7th supplemental disclosure statement by plaintiff to counsel on 6/12/98 (jrm) (Entered: 06/16/1998)
06/17/1998	110	ORDER by Magistrate Judge Don J. Svet setting R16(a)&(c) discovery conference for 6/23/98 at 1:30 pm (cc: all counsel, electronically) (jrm) (Entered: 06/18/1998)
06/17/1998	112	JOINT MOTION by parties to extend time for submission of pre-trial

		order (jrm) (Entered: 06/18/1998)
06/18/1998	111	MINUTE ORDER rescheduling PTC before the Honorable Richard L Puglisi from 8/12/98 at 9:0 am to 9/2/98 at 9:00 am; jury selection/trial remains as set for 9/21/98 at 9:30 am ; Pretrial conference reset for 9/2/98 at 9:00 am (cc: all counsel, electronically) (jrm) (Entered: 06/18/1998)
06/18/1998	113	CERTIFICATE of service of 2nd set of interrogs by plaintiff to counsel on 6/17/98 (jrm) (Entered: 06/18/1998)
06/18/1998	114	ORDER by Magistrate Judge Richard L. Puglisi granting motion to exceed page limitation for reply to deft's response to cross-mtn for summary judgment as described herein [109-1] (cc: all counsel) (jrm) Modified on 07/17/1998 (Entered: 06/18/1998)
06/18/1998	115	ORDER by Magistrate Judge Don J. Svet granting motion to extend time for submission of pre-trial order [112-1] ; Pretrial order ddl 7/28/98 (cc: all counsel) (jrm) (Entered: 06/18/1998)
06/18/1998	116	ORDER by Magistrate Judge Don J. Svet vacating Rule 16 discovery conference set for 6/23/98 at 1:30 pm (cc: all counsel, electronically) (jrm) Modified on 07/17/1998 (Entered: 06/19/1998)
06/23/1998	117	CLERK'S MINUTES: before Magistrate Judge Richard L. Puglisi mtns hrg held on 6/23/98 [105-1]; [97-1]; [80-1] C/R: Karen Rodriguez (jrm) (Entered: 06/24/1998)
06/24/1998	118	MEMORANDUM, OPINION, AND ORDER: by Magistrate Judge Richard L. Puglisi denying motion for summary judgment [105-1] by EEOC; granting in part and denying in part motion for summary judgment [97-1] and granting motion for partial summary judgment as to deft's third affirmative defense [80-1] as further described herein (cc: all counsel, electronically) (jrm) Modified on 06/25/1998 (Entered: 06/24/1998)
06/24/1998	119	MEMORANDUM, OPINION, AND ORDER by Magistrate Judge Richard L. Puglisi granting partial summary judgment [118-1] (cc: all counsel, electronically) (jrm) Modified on 06/25/1998 (Entered: 06/24/1998)
07/13/1998	120	CERTIFICATE by plaintiff of service of eighth supplemental disclosure statement to opposing counsel 7/10/98 (dmw) (Entered: 07/13/1998)
07/13/1998	121	CERTIFICATE by defendant of service of response to second set of interrogatories to opposing counsel 7/10/98 (dmw) (Entered: 07/14/1998)
07/29/1998	122	CERTIFICATE of service of ninth supplemental disclosure statement by plaintiff to counsel on 7/28/98 (jrm) Modified on 07/31/1998 (Entered: 07/29/1998)
08/06/1998	123	CERTIFICATE of service of 10th supplemental disclosure statement by plaintiff to counsel on 8/5/98 (jrm) (Entered: 08/06/1998)
08/06/1998	124	ENTRY OF APPEARANCE for plaintiff by Kelly M. Humphrey (jrm)

		(Entered: 08/07/1998)
08/10/1998	125	CERTIFICATE of service of eleventh supplemental disclosure statement by plaintiff to counsel on 8/7/98 (jrm) (Entered: 08/10/1998)
08/13/1998	126	CERTIFICATE of service of supplemental responses to 2nd set of interros by defendant to counsel on 8/13/98 (jrm) (Entered: 08/14/1998)
08/20/1998	127	MOTION by defendant for order to limit testimony of Dr Cleveland Pardue and in the alternative, for leave of court to depose Dr Pardue with fees and costs assessed against pltf (jrm) (Entered: 08/21/1998)
08/20/1998	128	MEMORANDUM by defendant in support of motion for order to limit testimony of Dr Cleveland Pardue [127-1] and in the alternative, for leave of court to depose Dr Pardue with fees and costs assessed against pltf [127-2] (jrm) Modified on 08/26/1998 (Entered: 08/21/1998)
08/20/1998	129	RESPONSE by plaintiff to motion for order to limit testimony of Dr Cleveland Pardue [127-1] and in the alternative, for leave of court to depose Dr Pardue with fees and costs assessed against pltf [127-2] (jrm) (Entered: 08/21/1998)
08/20/1998	130	REPLY by defendant to response to motion for order to limit testimony of Dr Cleveland Pardue [127-1] and in the alternative, for leave of court to depose Dr Pardue with fees and costs assessed against pltf [127-2] (jrm) (Entered: 08/21/1998)
08/25/1998	131	CERTIFICATE of service of twelfth supplemental disclosure statement by plaintiff to counsel on 8/21/98 (jrm) (Entered: 08/25/1998)
08/28/1998	132	PRE-TRIAL ORDER by Magistrate Judge Richard L. Puglisi : (CLERK:jc)(cc: all counsel by jc) (jrm) (Entered: 08/28/1998)
08/31/1998	133	ENTRY OF APPEARANCE for plaintiff by Lauren Elisabeth Eiler (jrm) (Entered: 08/31/1998)
09/02/1998	134	CERTIFICATE of service of thirteenth supplemental disclosure statement by plaintiff to counsel on 9-1-98 (jrm) (Entered: 09/02/1998)
09/03/1998	135	MEMORANDUM, OPINION, AND ORDER: by Magistrate Judge Richard L. Puglisi granting motion for order to limit testimony of Dr Cleveland Pardue [127-1] and granting motion in the alternative, for leave of court to depose Dr Pardue with fees and costs assessed against pltf [127-2] (cc: all counsel, electronically) (jrm) (Entered: 09/03/1998)
09/08/1998	136	Stipulated Findings of Fact and Conclusions of Law by parties herein (jrm) (Entered: 09/09/1998)
09/08/1998	137	PROPOSED Findings of Fact and Conclusions of Law by plaintiff (jrm) (Entered: 09/09/1998)
09/08/1998	138	PROPOSED Findings of Fact and Conclusions of Law by defendant (jrm) (Entered: 09/09/1998)
09/11/1998	139	CLERK'S MINUTES: before Magistrate Judge Richard L. Puglisi

		Pretrial conference held on 9-2-98 (jrm) (Entered: 09/11/1998)
09/11/1998	140	CONTESTED EXHIBIT list by plaintiff (dmw) (Entered: 09/14/1998)
09/11/1998	141	CONSOLIDATED EXHIBIT list (authentic) (dmw) (Entered: 09/14/1998)
09/11/1998	142	CONSOLIDATED EXHIBIT list (admissible) (dmw) (Entered: 09/14/1998)
09/11/1998	143	MOTION by plaintiff in limine re evidence of pregnant employees on modified duty (dmw) (Entered: 09/14/1998)
09/11/1998	144	MEMORANDUM by plaintiff in support of motion in limine re evidence of pregnant employees on modified duty [143-1] (dmw) (Entered: 09/14/1998)
09/11/1998	145	OBJECTIONS by plaintiff to defendant's exhibits (dmw) (Entered: 09/14/1998)
09/11/1998	146	MOTION by plaintiff in limine as to testimony by expert Ronald T. Luke (dmw) (Entered: 09/14/1998)
09/11/1998	147	MEMORANDUM by plaintiff in support of motion in limine as to testimony by expert Ronald T. Luke [146-1] (dmw) (Entered: 09/14/1998)
09/11/1998	148	MOTION by defendant in limine to exclude testimony & evidence re alleged back pay damages beyond the sale of Horizon facilities (dmw) (Entered: 09/14/1998)
09/11/1998	149	MOTION by defendant in limine to exclude testimony & evidence of disparate treatment (dmw) (Entered: 09/14/1998)
09/11/1998	150	MOTION by defendant in limine to exclude testimony & evidence re alleged discrimination post Horizon ownership of NM Long Term Care facilities (dmw) (Entered: 09/14/1998)
09/11/1998	151	OBJECTIONS by defendant to deposition testimony identified for use at trial (dmw) (Entered: 09/14/1998)
09/11/1998	152	MOTION by deft for order to limit testimony of Drs. Ruthven Sampath, Steve North & R. Andrew Vincent , or in the alternative for leave to depose these physicians with fees & costs assessed against pltf and to allow deft 30 days to name its own expert medical witness (dmw) (Entered: 09/14/1998)
09/11/1998	153	MEMORANDUM by defendant in support of motion for order to limit testimony of Drs. Ruthven Sampath, Steve North & R. Andrew Vincent [152-1] or for leave to depose these physicians with fees & costs assessed against pltf and to allow deft 30 days to name its own expert medical witness [152-2] (dmw) (Entered: 09/14/1998)
09/11/1998	154	RESPONSE by plaintiff to motion for order to limit testimony of Drs. Ruthven Sampath, Steve North & R. Andrew Vincent [152-1] or for

		leave to depose these physicians with fees & costs assessed against pltf and to allow deft 30 days to name its own expert medical witness [152-2] (dmw) (Entered: 09/14/1998)
09/11/1998	155	REPLY by defendant in support of motion for order to limit testimony of Drs. Ruthven Sampath, Steve North & R. Andrew Vincent [152-1] or for leave to depose these physicians with fees & costs assessed against pltf and to allow deft 30 days to name its own expert medical witness [152-2] (dmw) (Entered: 09/14/1998)
09/11/1998	156	EXHIBIT list by defendant (authenticity or admissibility not stipulated to by plaintiff) (dmw) (Entered: 09/14/1998)
09/11/1998	157	OBJECTIONS by defendant to exhibits (dmw) (Entered: 09/14/1998)
09/14/1998	158	TRIAL brief submitted by plaintiff (jrm) (Entered: 09/15/1998)
09/15/1998	159	TRIAL brief submitted by defendant (jrm) (Entered: 09/15/1998)
09/15/1998	160	SUPPLEMENTAL consolidated list of admissible exhibits by [142-1] (dmw) (Entered: 09/16/1998)
09/15/1998	161	SUPPLEMENTAL proposed findings of fact & conclusions of law by defendant [138-1] (dmw) (Entered: 09/16/1998)
09/16/1998	162	WITNESS list submitted by defendant (jrm) (Entered: 09/17/1998)
09/16/1998	163	FINAL WITNESS list submitted by plaintiff (jrm) (Entered: 09/17/1998)
09/17/1998	164	RESPONSE by plaintiff to motion in limine to exclude testimony & evidence of disparate treatment [149-1] (jrm) (Entered: 09/17/1998)
09/17/1998	165	RESPONSE by plaintiff to motion in limine to exclude testimony & evidence re alleged back pay damages beyond the sale of Horizon facilities [148-1] (jrm) (Entered: 09/17/1998)
09/17/1998	172	OBJECTIONS by plaintiff to deft's filing of supplemental proposed findings of fact and conclusions of law [161-1] (jrm) Modified on 09/22/1998 (Entered: 09/18/1998)
09/17/1998	173	RESPONSE by plaintiff to mtn in limine to exclude testimony and evidence regarding alleged discrimination post Horizon ownership of New Mexico long term care facilities [150-1] (jrm) (Entered: 09/18/1998)
09/17/1998	174	RESPONSE in opposition by defendant to mtn in limine regarding evidence of pregnant employees on modified duty [143-1] (jrm) (Entered: 09/18/1998)
09/17/1998	175	RESPONSE by defendant to mtn in limine as to testimony by deft's expert Dr Ronald T Luke [146-1] (jrm) (Entered: 09/18/1998)
09/18/1998	166	ORDER by Magistrate Judge Richard L. Puglisi granting motion for order to limit testimony of Drs. Ruthven Steve North & R. Andrew Vincent [152-1] and granting motion for leave to depose these physicians with fees & costs assessed against pltf and to allow deft 30 days to name

		its own expert medical witness [152-2] (cc: all counsel, electronically) (jrm) (Entered: 09/18/1998)
09/18/1998	167	ORDER by Magistrate Judge Richard L. Puglisi denying motion in limine as to testimony by expert Ronald T. Luke [146-1] by EEOC (cc: all counsel, electronically) (jrm) (Entered: 09/18/1998)
09/18/1998	168	ORDER by Magistrate Judge Richard L. Puglisi denying motion in limine to exclude testimony & evidence of disparate treatment [149-1] by Horizon/CMS Healthca (cc: all counsel, electronically) (jrm) (Entered: 09/18/1998)
09/18/1998	169	ORDER by Magistrate Judge Richard L. Puglisi granting motion in limine to exclude testimony & evidence re alleged back pay damages beyond the sale of Horizon facilities [148-1] (cc: all counsel, electronically) (jrm) (Entered: 09/18/1998)
09/18/1998	170	ORDER by Magistrate Judge Richard L. Puglisi granting in part and denying in part motion in limine to exclude testimony & evidence re alleged discrimination post Horizon ownership of NM Long Term Care facilities [150-1] (cc: all counsel, electronically) (jrm) (Entered: 09/18/1998)
09/18/1998	171	ORDER by Magistrate Judge Richard L. Puglisi denying motion in limine re evidence of pregnant employees on modified duty [143-1] by EEOC (cc: all counsel, electronically) (jrm) (Entered: 09/18/1998)
09/21/1998	177	CLERK'S MINUTES: before Magistrate Judge Richard L. Puglisi trial began, day 1 C/R: Gail Vinson (jrm) (Entered: 09/29/1998)
09/22/1998	177	CLERK'S MINUTES: before Magistrate Judge Richard L. Puglisi day 2 of jury trial [177-1]; C/R: Gail Vinson (jrm) (Entered: 09/29/1998)
09/23/1998	177	CLERK'S MINUTES: before Magistrate Judge Richard L. Puglisi day 3 of jury trial [177-1]; C/R: Gail Vinson (jrm) (Entered: 09/29/1998)
09/24/1998	177	CLERK'S MINUTES: before Magistrate Judge Richard L. Puglisi day 4 of jury trial [177-1]; C/R: Gail Vinson (jrm) (Entered: 09/29/1998)
09/25/1998	176	TRIAL brief regarding AMA Guidelines submitted by defendant (jrm) (Entered: 09/25/1998)
09/25/1998	177	CLERK'S MINUTES: before Magistrate Judge Richard L. Puglisi day 5 of jury trial [177-1]; C/R: Gail Vinson (jrm) (Entered: 09/29/1998)
09/28/1998	177	CLERK'S MINUTES: before Magistrate Judge Richard L. Puglisi day 6 of jury trial [177-1]; trial ends; C/R: Gail Vinson (jrm) Modified on 11/06/1998 (Entered: 09/29/1998)
10/01/1998	178	FINDINGS of fact and conclusions of law by Magistrate Judge Richard L. Puglisi and Order granting deft's mtn to dismiss pursuant to Rule 52(c) FRCP (cc: all counsel, electronically) (jrm) (Entered: 10/01/1998)
10/01/1998	179	JUDGMENT by Magistrate Judge Richard L. Puglisi for deft and against pltf and awards deft its costs of action; all claims fully adjudicated; and

		case dismissed w/prejudice dismissing case (cc: all counsel, electronically) (jrm) (Entered: 10/01/1998)
10/05/1998		TRANSCRIPT OF PROCEEDINGS before Magistrate Judge Richard L. Puglisi held on 9/24/98; (re [177-1]) lodged in separate file folder (pg) (Entered: 10/05/1998)
10/05/1998		TRANSCRIPT OF PROCEEDINGS before Magistrate Judge Richard L. Puglisi held on 9/21/98; (re [177-2]) lodged in separate file folder (pg) (Entered: 10/05/1998)
10/05/1998		TRANSCRIPT OF PROCEEDINGS before Magistrate Judge Richard L. Puglisi held on 9/21/98; (re [177-2]) lodged in separate file folder (pg) (Entered: 10/05/1998)
10/09/1998	180	MOTION by defendant to amend and correct findings of fact and conclusions of law and order granting Rule 52(C) FRCP mtn to dismiss and memorandum supporting judgment for deft (jrm) (Entered: 10/13/1998)
10/21/1998	181	RESPONSE by plaintiff to motion to amend and correct findings of fact and conclusions of law and order granting Rule 52(C) FRCP mtn to dismiss and memorandum supporting judgment for deft [180-1] (jrm) (Entered: 10/22/1998)
10/22/1998		TRANSCRIPT OF PROCEEDINGS before Magistrate Judge Richard L. Puglisi held on 6/23/98; (re [177-1]) lodged in separate file folder (pg) (Entered: 10/22/1998)
10/22/1998		TRANSCRIPT OF PROCEEDINGS before Magistrate Judge Richard L. Puglisi held on 9/28/98; (re [177-1]) lodged in separate file folder (pg) (Entered: 10/22/1998)
10/26/1998	182	ORDER by Magistrate Judge Richard L. Puglisi granting motion to amend and correct findings of fact and of law and order granting Rule 52 (C) FRCP mtn to dismiss and memorandum supporting judgment for deft [180-1] (cc: all counsel) (jrm) (Entered: 10/26/1998)
11/02/1998	183	MOTION by defendant to tax costs in the amount of \$8,593.35 (jrm) (Entered: 11/03/1998)
11/10/1998	184	AMENDED FINDINGS of fact and conclusions of law and Order granting Rule 52(c) FRCP mtn to dismiss by Magistrate Judge Richard L. Puglisi (cc: all counsel) (jrm) (Entered: 11/12/1998)
11/16/1998	185	RESPONSE by plaintiff to deft's motion to tax costs in the amount of \$8,593.35 [183-1] (sl) (Entered: 11/23/1998)
11/23/1998		TRANSCRIPT OF PROCEEDINGS before Magistrate Judge Richard L. Puglisi held on 9/21/98; (re [177-2]) lodged in separate file folder (pg) (Entered: 11/23/1998)
11/23/1998		TRANSCRIPT OF PROCEEDINGS before Magistrate Judge Richard L. Puglisi held on 9/22/98; (re [177-1]) lodged in separate file folder (pg)

		(Entered: 11/23/1998)
11/23/1998		TRANSCRIPT OF PROCEEDINGS before Magistrate Judge Richard L. Puglisi held on 9/23/98; (re [177-1]) lodged in separate file folder (pg) (Entered: 11/23/1998)
11/23/1998		TRANSCRIPT OF PROCEEDINGS before Magistrate Judge Richard L. Puglisi held on 9/24/98; (re [177-1]) lodged in separate file folder (pg) (Entered: 11/23/1998)
11/23/1998		TRANSCRIPT OF PROCEEDINGS before Magistrate Judge Richard L. Puglisi held on 9/25/98; (re [177-1]) lodged in separate file folder (pg) (Entered: 11/23/1998)
11/23/1998		TRANSCRIPT OF PROCEEDINGS before Magistrate Judge Richard L. Puglisi held on 9/25/98; (re [177-1]) lodged in separate file folder (pg) (Entered: 11/23/1998)
11/23/1998		TRANSCRIPT OF PROCEEDINGS before Magistrate Judge Richard L. Puglisi held on 9/28/98; (re [177-1]) lodged in separate file folder (pg) (Entered: 11/23/1998)
11/24/1998	186	NOTICE OF APPEAL by plaintiff EEOC from Dist. Court decision [179-2], [178-1] ; Fees not paid - Distribution as required. (cc: all counsel) (pg) (Entered: 11/27/1998)
12/08/1998		ACKNOWLEDGEMENT of receipt of preliminary record in by USCA on 12/2/98 - USCA Number: 98-2328 (pg) (Entered: 12/08/1998)
01/11/1999	187	TRANSCRIPT Order Form (TOF) from Appellant; necessary transcript on file re [186-1] (pg) (Entered: 01/11/1999)
02/05/1999	188	COPY of USCA Order: within 14 days counsel for pltf must forward to USCA two copies of the # 180, 182, 184 re [186-1] (pg) (Entered: 02/05/1999)
03/01/1999	189	ORDER by Clerk of the Court granting motion to tax costs in the amount of \$4,909.24 [183-1] (cc: all counsel, electronically) (jrm) (Entered: 03/01/1999)
03/01/1999		TAXED COSTS for defendant in the amount of \$ 4,909.24 against plaintiff [189-1] (cc: all counsel, electronically) (jrm) (Entered: 03/01/1999)
10/30/2000	190	COPY of judgment from USCA: the Court concludes that the Commission has presented a prima facie case of pregnancy discrimination and presented sufficient evidence for a jury to conclude defendant's reason for denying modified duty to the charging parties was pretextual. The grant of summary judgment by the district court in favor of defendant is reversed and this case is remanded to the district court for further proceedings consistent with this opinion [Appeal [186-1] cc: CRD (pg) (Entered: 10/31/2000)
11/15/2000	191	NOTICE of hearing before Magistrate Judge Richard L Puglisi Status

		conference set for 2-07-2001 @ 9:00 am in Albuquerque (cc: all counsel*) (jrm) (Entered: 11/15/2000)
11/28/2000	192	SUBSTITUTION OF COUNSEL: terminating attorney Mary Jo O'Neill for EEOC and substituting attorney C Emanuel Smith (rd) (Entered: 11/30/2000)
12/05/2000	193	ENTRY OF APPEARANCE for plaintiff by Ralph E Chamness (jrm) (Entered: 12/06/2000)
02/07/2001	195	CLERK'S MINUTES: before Magistrate Judge Richard L. Puglisi Status conference HELD (jrm) (Entered: 02/08/2001)
02/08/2001	194	MINUTE ORDER: Jury selection/trial set for 8/20/01 @ 9:30 am ; settlement conference before Magistrate Judge Don J Svet is set for 4/30/01 @ 8:30 am; Rule 26(a) disclosures due 7/21/01; jury instructions due 8/06/01 and objections due 8/13/01 (cc: all counsel*) (jrm) (Entered: 02/08/2001)
04/03/2001		SETTLEMENT CONFERENCE held before Magistrate Judge Don J Svet; case has settled (jrm) (Entered: 04/04/2001)
08/31/2001	196	STIPULATION OF DISMISSAL OF CASE W/PREJUDICE by parties herein pursuant to FRCP 41(a) (jrm) (Entered: 08/31/2001)
09/12/2001	197	ORDER of dismissal w/prejudice by Magistrate Judge Richard L. Puglisi [196-1] (cc: all counsel) (jrm) (Entered: 09/12/2001)

PACER Service Center			
Transaction Receipt			
06/12/2007 10:31:13			
PACER Login:	hs0328	Client Code:	eeoc
Description:	Docket Report	Search Criteria:	1:97-cv-00362-RLP-DJS
Billable Pages:	11	Cost:	0.88