

MTNDDL, REFER, STAYBK, TERMED

U.S. District Court
District of New Mexico - Version 3.0 (Albuquerque)
CIVIL DOCKET FOR CASE #: 1:98-cv-00112-JAP-LCS

EEOC v. Loewen Group, et al
Assigned to: District Judge James A. Parker
Referred to: Magistrate Judge Leslie C. Smith
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 01/28/1998
Date Terminated: 12/16/1998
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **G. Gregory Stewart**
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V.

Defendant

Loewen Group International Inc
doing business as
 Memory Gardens of the Valley

represented by **Nickay B. Manning**
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Date Filed	#	Docket Text
01/28/1998	<u>1</u>	COMPLAINT (2 Summonses issued) (referred to Magistrate Leslie C. Smith) (former employee) (Entered: 01/29/1998)
03/02/1998	<u>2</u>	ANSWER by defendant w/affirmative defenses [1-1] (jrm) (Entered: 03/03/1998)

03/03/1998	3	INITIAL SCHEDULING ORDER by Magistrate Leslie C. Smith ; Rule 16 scheduling conference set for 5/18/98 at 2:00 pm; meet and confer by 3/31/98; provisional discovery plan and IPTR due 4/21/98 (CLERK) (cc: all counsel,electronically) (jrm) (Entered: 03/04/1998)
04/06/1998	4	CERTIFICATE of Service by pltf of the initial disclosures to counsel on 4/6/98 (kd) (Entered: 04/07/1998)
04/06/1998	5	CERTIFICATE of Service by deft of the initial disclosures to counsel on 4/6/98 (kd) (Entered: 04/07/1998)
04/14/1998	6	ENTRY OF APPEARANCE for defendant by attorney Nickay B Manning (jrm) (Entered: 04/15/1998)
04/14/1998	6	MOTION by deft for substitution of counsel (jrm) (Entered: 04/15/1998)
04/21/1998	7	ATTORNEYS' PROVISIONAL DISCOVERY PLAN by parties (jrm) (Entered: 04/21/1998)
04/21/1998	8	ORDER by Judge James A. Parker granting motion for substitution of counsel [6-1] and substituting the firm of Eastham Johnson Monnheimer & Jontz, P C for the firm of Kemp,Smith,Duncan & Hammond, P C (cc: all counsel) (jrm) (Entered: 04/21/1998)
04/27/1998	9	MOTION by deft to extend time until 4/29/98 in which to file mtn to compel initial disclosures (jrm) (Entered: 04/28/1998)
04/29/1998	10	ORDER by Magistrate Leslie C Smith granting mtn to extend time until 4/29/98 to file mtn to compel initial disclosures [9-1] (cc: all counsel) (rg) (Entered: 05/01/1998)
05/18/1998	11	CERTIFICATE of supplemental disclosures by plaintiff to counsel on 5/15/98 (jrm) (Entered: 05/18/1998)
05/18/1998	12	CLERK'S MINUTES: before Magistrate Leslie C Smith Rule 16 scheduling conference held settlement conference to be set in Las Cruces in August or September (rg) (Entered: 05/20/1998)
05/20/1998	13	ORDER by Magistrate Leslie C. Smith setting settlement conference on 9/1/98 at 10:00 am in Las Cruces, NM (cc: all counsel, electronically) (jrm) (Entered: 05/21/1998)
05/29/1998	14	CERTIFICATE of service of 1st set of interrogs by defendant to counsel on 5/29/98 (jrm) (Entered: 06/01/1998)
06/02/1998	15	CERTIFICATE of service of 1st request for production by plaintiff to counsel on 6/1/98 (jrm) (Entered: 06/02/1998)
06/11/1998	16	INITIAL PRE-TRIAL REPORT Judge James A. Parker and Magistrate Judge Leslie C. Smith ; Discovery set for 10/15/98 ;mtn filing ddl set for 12/1/98 ; proposed pretrial order due 12/31/98 ; pretrial conference set for 9:30 am on 1/5/99 ; jury trial set for 1:30 pm on 2/9/99 ; Estimated # of Trial Days: 6-10; Chances of Settlement: UNKNOWN (cc: all counsel) (jrm) (Entered: 06/11/1998)

06/16/1998	17	ORDER by Magistrate Judge Leslie C. Smith limiting interros to one set of 25 for each party (cc: all counsel, electronically) (jrm) Modified on 07/30/1998 (Entered: 06/16/1998)
06/18/1998	18	CERTIFICATE of service of 1st set of non-uniform interros and 1st request for admissions by plaintiff to counsel on 6/17/98 (jrm) (Entered: 06/18/1998)
07/07/1998	19	ORDER by Magistrate Judge Leslie C. Smith that the settlement conference set for 9/1/98 is VACATED and rescheduled for 9/3/98 at 11:00 am (cc: all counsel electronically) (kd) (Entered: 07/07/1998)
07/15/1998	20	CERTIFICATE by defendant of service of response to first request for production of documents to opposing counsel 7/15/98 (dmw) (Entered: 07/16/1998)
07/16/1998	21	CERTIFICATE by plaintiff of service of responses to first set of interrogatories & first request for production of documents to opposing counsel 7/15/98 (dmw) (Entered: 07/16/1998)
07/31/1998	22	CERTIFICATE of service of answers to 1st set of interros and responses to request for production by deft to counsel on 7/31/98 (jrm) (Entered: 07/31/1998)
08/04/1998	23	ORDER by Magistrate Judge Leslie C. Smith granting mtn to waive mtn packet rule and allow electronic filing (cc: all counsel, electronically) (jrm) (Entered: 08/05/1998)
08/07/1998	24	MOTION by plaintiff to compel deft to fully respond to discovery requests (jrm) (Entered: 08/07/1998)
08/07/1998	25	MEMORANDUM by plaintiff in support of motion to compel deft to fully respond to discovery requests [24-1] (jrm) (Entered: 08/07/1998)
08/07/1998	26	CERTIFICATE of service of 1st supplemental response to 1st set of interros and 1st request for production by plaintiff to counsel on 8/6/98 (jrm) (Entered: 08/07/1998)
08/07/1998	27	UNOPPOSED MOTION by defendant to extend time to compel pltf's answers to interros and requests for production (jrm) (Entered: 08/07/1998)
08/10/1998	28	ORDER by Magistrate Judge Leslie C Smith granting deft's mtn to extend time to file mtn to compel pltf's answers to interros & requests for production until 8/10/98 [27-1] (cc: all counsel) (rg) (Entered: 08/11/1998)
08/11/1998	29	MOTION and brief in support by deft to compel pltf's complete answers to interros and responses to request for production (jrm) (Entered: 08/12/1998)
08/12/1998	30	CERTIFICATE of service of 2nd supplemental responses to 1st set of interros by plaintiff to counsel on 8/11/98 (jrm) (Entered: 08/12/1998)
08/12/1998	31	ORDER by Magistrate Judge Leslie C. Smith setting telephonic hearing on deft's motion to compel [29-1] and pltf's motion to compel on 8/28/98 at 11:00 am [24-1] (cc: all counsel electronically) (rd) (Entered: 08/12/1998)
08/17/1998	32	CERTIFICATE of service of identification of expert witnesses by plaintiff to counsel on 8/14/98 (jrm) (Entered: 08/17/1998)

08/19/1998	33	CERTIFICATE of service of 2nd supplemental response to deft's 1st request for production by plaintiff to counsel on 8/18/98 (jrm) (Entered: 08/20/1998)
08/19/1998	34	CERTIFICATE of service of 1st supplemental initial disclosures by defendant to counsel on 8/19/98 (jrm) (Entered: 08/20/1998)
08/20/1998	35	RESPONSE in opposition by defendant to motion to compel deft to fully respond to discovery requests [24-1] (jrm) (Entered: 08/21/1998)
08/21/1998	36	CERTIFICATE of service of third supplemental responses to first request for production by plaintiff to counsel on 8/18/98 (jrm) (Entered: 08/21/1998)
08/25/1998	37	JOINT MOTION by parties to extend time until 9/1/98 for pltf to file mtn to compel (jrm) (Entered: 08/25/1998)
08/25/1998	38	RESPONSE by pltf EEOC to deft's mtn to compel pltf's complete answers to interogs and responses to request for production [29-1] (rg) (Entered: 08/26/1998)
08/28/1998	39	REPLY by plaintiff to response to motion to compel pltf's complete answers to interogs and responses to request for production [29-1] (jrm) (Entered: 08/28/1998)
08/28/1998	40	CERTIFICATE of service of responses to 3rd supplemental set of interogs by plaintiff to counsel on 8-27-98 (jrm) (Entered: 08/28/1998)
08/28/1998	41	ORDER by Magistrate Judge Leslie C. Smith granting motion to extend time until 9/1/98 for pltf to file mtn to compel [37-1] (cc: all counsel) (rg) (Entered: 08/28/1998)
08/28/1998	42	CLERK'S MINUTES: hearing held before Magistrate Judge Leslie C Smith re: mtns to compel [29-1] & [24-1] (rg) (Entered: 08/31/1998)
08/31/1998	43	ORDER by Magistrate Judge Leslie C. Smith re: pltf's mtn to compel [29-1] and deft's mtn and brief in support of mtn to compel pltf's complete answers to interogs and responses to request for production as described herein [24-1] (cc: all counsel, electronically) (jrm) (Entered: 08/31/1998)
09/01/1998	44	MOTION by plaintiff to compel deft to fully respond to discovery requests served on 6-17-98 (jrm) (Entered: 09/02/1998)
09/01/1998	45	MEMORANDUM by plaintiff in support of motion to compel deft to fully respond to discovery requests served on 6-17-98 [44-1] (jrm) (Entered: 09/02/1998)
09/03/1998		SETTLEMENT CONFERENCE held before Judge Leslie Smith; parties to submit consent decree by 10/15/98 (former employee) (Entered: 09/08/1998)
12/16/1998	46	CONDENT DECREE by Judge James A. Parker as described herein dismissing case (cc: all counsel) (jrm) (Entered: 12/17/1998)
06/07/1999	47	NOTICE by defendant of filing bankruptcy (dmw) (Entered: 06/07/1999)

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