

MTNDDL, REFER, TERMED

U.S. District Court
District of New Mexico - Version 3.0 (Las Cruces)
CIVIL DOCKET FOR CASE #: 2:97-cv-00015-LCS-LFG

EEOC v. Gin Mill Rest & Pub, et al
Assigned to: Magistrate Judge Leslie C. Smith
Referred to: Magistrate Judge Lorenzo F. Garcia
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 01/06/1997
Date Terminated: 01/14/1998
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Lauren Elisabeth Eiler**
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3300 North Central Avenue
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V.

Defendant

Gin Mill Restaurant & Pub
TERMINATED: 03/03/1997

represented by **Virginia Anderman**
Miller Stratvert P.A.
P. O. Box 25687
Albuquerque, NM 87125-0687
505-842-1950
Fax: 505-243-4408
Email: vanderman@mstlaw.com
TERMINATED: 03/03/1997
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Ruth Chavez
an individual
TERMINATED: 03/03/1997

represented by **Virginia Anderman**
(See above for address)
TERMINATED: 03/03/1997
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Robert Chavez
an individual
TERMINATED: 03/03/1997

represented by **Virginia Anderman**
(See above for address)
TERMINATED: 03/03/1997
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Robin, Inc
doing business as
Gin Mill Restaurant & Pub

represented by **Robin, Inc**
c/o Robert Chavez
5300 Sequoia, NW
Albuquerque, NM 87120
PRO SE

Virginia Anderman
(See above for address)
TERMINATED: 10/08/1997
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/06/1997	1	CIVIL RIGHTS COMPLAINT (w/jury demand) (1 Summons(es) issued) (rd) (Entered: 01/06/1997)
02/18/1997	2	MOTION by defendants to extend time to answer complaint until 3/14/97 (dmw) (Entered: 02/19/1997)
02/20/1997	3	ORDER by Magistrate Leslie C. Smith granting defendants' motion to extend time until 3/14/97 to answer to complaint [2-1] (cc: all counsel) (rlc) (Entered: 02/21/1997)
03/03/1997	4	FIRST AMENDED COMPLAINT [1-1] by plaintiff; jury demand terminating defendants Robert Chavez, Ruth Chavez, & Gin Mill Rest & Pub; adding Robin, Inc, d/b/a Gin Mill Restaurant & Pub (1 Summons(es) issued) (dmw) (Entered: 03/05/1997)
03/27/1997	5	ANSWER by defendant Robin, Inc to First Amended Complaint [4-1] (ild) (Entered: 03/28/1997)
04/01/1997	6	INITIAL SCHEDULING ORDER meet and confer by 4/25/97, provisional discovery plan due by 5/7/97 and scheduling confrence set on May 16, 1997 at 9:00 telephonic by Magistrate Leslie C. Smith (cc: all counsel) (former employee) (Entered: 04/01/1997)
05/16/1997	8	CLERK'S MINUTES: before Magistrate Leslie C. Smith Rule 16 initial scheduling conference held; scheduling order to follow; telephonic status conference to be set for mid-July (rg) (Entered: 05/19/1997)
05/19/1997	7	ATTORNEYS' PROVISIONAL DISCOVERY PLAN (dmw) (Entered: 05/19/1997)
05/20/1997	9	INITIAL PRE-TRIAL REPORT Magistrate Leslie C. Smith; Discovery set for 10/13/97; mtn filing ddl set for 11/13/97 ;proposed pretrial order due 12/30/97; Estimated # of Trial Days: 6-10; Chances of Settlement: Fair (cc: all counsel) (bh) (Entered: 05/20/1997)
05/20/1997	10	ORDER by Magistrate Leslie C. Smith Telephonic Status hearing set for 7/22/97 at 9:00 AM, Las Cruces (cc: all counsel) (bh) (Entered: 05/20/1997)
05/21/1997	11	NOTICE by plaintiff of consent to proceed before a U.S. Magistrate Judge (dmw) (Entered: 05/21/1997)
06/02/1997	12	NOTICE (CERTIFICATE) by plaintiff of service of initial disclosures to opposing counsel 5/29/97 (dmw) (Entered: 06/02/1997)
06/02/1997	13	CERTIFICATE by defendant of service of first interrogatories & request for production of documents & initial disclosures to opposing counsel 6/2/97 (dmw) (Entered: 06/03/1997)

06/26/1997	14	CLERK'S MINUTES: before Magistrate Leslie C. Smith re status conference on pltf's request for extension to respond to mtn for protective order; order to follow (rd) (Entered: 06/27/1997)
06/30/1997	15	ORDER by Magistrate Leslie C. Smith upon a a telephonic status conference held 6/26/97 and an unfiled motion for protective order [14-1]; that deft's counsel shall provide pltf's counsel with a past and present list of employees no later than 6/27/97 and pltf's response to the defts' motion for protective order due no later than 7/10/97 (See order for further details); and telephonic motions hearing will be held re: deft's motion for protective order on 7/14/97 at 1:15 p.m. (cc: counsel) (ild) Modified on 06/30/1997 (Entered: 06/30/1997)
07/01/1997	16	CERTIFICATE by plaintiff of service of first set of non- uniform interrogatories, first request for production & first request for admissions to opposing counsel 7/1/97 (dmw) (Entered: 07/01/1997)
07/01/1997	17	ENTRY OF APPEARANCE as co-counsel for plaintiff by Veronica Molina (dmw) (Entered: 07/01/1997)
07/14/1997	18	CLERK'S MINUTES: hearing on deft's mtn for protective order held (mtn not yet filed) before Magistrate Leslie C. Smith (former employee) (Entered: 07/15/1997)
07/15/1997	19	ORDER re Court's order of 6/30/97 is quashed; the contemplated "non-objectionable" solicitation letter from the EEOC shall be mailed by 7/22/97 by Magistrate Leslie C. Smith (cc: all counsel) (former employee) (Entered: 07/15/1997)
07/21/1997	20	NOTICE (CERTIFICATE) by plaintiff of service of answers to first interrogatories & request for production to opposing counsel 7/16/97 (dmw) (Entered: 07/21/1997)
07/21/1997	21	MOTION by defendant for protective order re improper solicitation of current & former employees (dmw) Modified on 07/23/1997 (Entered: 07/22/1997)
07/21/1997	22	RESPONSE by plaintiff in opposition to motion for protective order re improper solicitation of current & former employees [21-1] (dmw) (Entered: 07/22/1997)
07/21/1997	23	CERTIFICATE by defendant of filing motion & response to motion for protective order (dmw) (Entered: 07/22/1997)
07/22/1997	24	CLERK'S MINUTES: before Magistrate Leslie C Smith Status hearing held; status conference to be set in late October; order to follow (rg) (Entered: 07/22/1997)
07/22/1997	25	ORDER by Magistrate Leslie C Smith Mtn Filing cutoff 11/14/97; telephonic Status hearing set for 10/20/97 at 1:30PM in Las Cruces (cc: all counsel) (rg) (Entered: 07/22/1997)
07/28/1997	26	NOTICE of Service by pltf of Supplementary Answers to First Interrogatories to counsel on 7/24/97 (rd) (Entered: 07/28/1997)
08/01/1997	27	NOTICE of Service by pltf of Second Supplementary Answers to First Interrogatories and Request for Production to counsel on 7/30/97 (former employee) (Entered: 08/01/1997)

08/01/1997	28	CERTIFICATE of Service by deft Robin, Inc., of answers to pltf's 1st set of non-uniform interrog(s), responses to request for production of documents & to 1st request for admissions to counsel on 7/31/97 (rd) (Entered: 08/01/1997)
08/13/1997	29	NOTICE of Service by pltf of Second Set of Non-Uniform Interrogatories and Second Request for Production to counsel on 8/12/97 (former employee) (Entered: 08/13/1997)
08/13/1997	30	REQUEST by plaintiff for entry upon land for inspection & other purposes (dmw) (Entered: 08/13/1997)
08/18/1997	31	NOTICE (CERTIFICATE) by plaintiff of service of third supplementary answers to first interrogatories to opposing counsel 8/15/97 (dmw) (Entered: 08/18/1997)
08/21/1997	33	ORDER by Magistrate Leslie C. Smith Telephonic Status confrence set for 10/21/97 at 10:30 am (cc: all counsel) (former employee) (Entered: 08/29/1997)
08/25/1997	32	NOTICE of Service by pltf of Third Set of Non-Uniform Interrogatories and Second Request for Admissions to counsel on 8/22/97 (former employee) (Entered: 08/25/1997)
09/02/1997	34	MOTION by plaintiff to amend complaint & to add additional defendants & to correct name of a party (dmw) (Entered: 09/02/1997)
09/02/1997	35	RESPONSE by defendant to motion to amend complaint & to add additional defendants & to correct name of a party [34-1] (dmw) (Entered: 09/02/1997)
09/02/1997	36	REPLY by plaintiff to response to motion to amend complaint & to add additional defendants & to correct name of a party [34-1] (dmw) (Entered: 09/02/1997)
09/03/1997	37	NOTICE (CERTIFICATE) by plaintiff of service of fourth supplementary responses to interrogatories & requests for production of documents to opposing counsel 8/29/97 (dmw) (Entered: 09/03/1997)
09/03/1997	38	CERTIFICATE by defendant of service of amended answer to interrogatory no. 2 of first set of non-uniform interrogatories to opposing counsel 9/3/97 (dmw) (Entered: 09/03/1997)
09/04/1997	39	REQUEST by plaintiff for entry upon land for inspection & other purposes (dmw) (Entered: 09/05/1997)
09/12/1997	40	CERTIFICATE of Service by deft of Response to Request for Entry Upon Land for Inspection and Other Purposes and Answers to Second Set of Non-Uniform Interrogatories to counsel on 9/11/97 (former employee) (Entered: 09/16/1997)
09/15/1997	41	NOTICE of Service by pltf of Fifth Supplementary Answers to First Interrogatories and Request for Production to counsel on 9/11/97 (rd) (Entered: 09/16/1997)
09/19/1997	42	CERTIFICATE by defendant of service of third set of non- uniform interrogatories & responses to second request for admission to opposing counsel 9/19/97 (dmw) (Entered: 09/22/1997)
09/26/1997	43	CERTIFICATE of Service by pltf of the 3rd request for production of documents to counsel on 9/24/97 (kd) (Entered: 09/26/1997)

09/29/1997	44	UNOPPOSED MOTION by deft to exceed page limitation on the mtn, memorandum brief, and exhibits (kd) (Entered: 09/30/1997)
10/01/1997	45	MOTION by plaintiff to exceed page limitation on brief in support of cross motion for summary judgment/response in opposition to motion for summary judgment (dmw) (Entered: 10/01/1997)
10/01/1997	46	MOTION by plaintiff for order to determine sufficiency of responses to request for admissions (dmw) (Entered: 10/02/1997)
10/01/1997	47	MEMORANDUM by plaintiff in support of motion for order to determine sufficiency of responses to request for admissions [46-1] (dmw) (Entered: 10/02/1997)
10/01/1997	48	MOTION by plaintiff to compel responses to discovery (dmw) (Entered: 10/02/1997)
10/01/1997	49	MEMORANDUM by plaintiff in support of motion to compel responses to discovery [48-1] (dmw) (Entered: 10/02/1997)
10/01/1997	50	RESPONSE by defendant to motion to compel responses to discovery [48-1] (dmw) (Entered: 10/02/1997)
10/01/1997	51	REPLY by plaintiff to response to motion to compel responses to discovery [48-1] (dmw) (Entered: 10/02/1997)
10/06/1997	52	ORDER by Magistrate Leslie C. Smith granting defts' motion to exceed page limitation on the motion for summary judgement and memorandum brief of up to 30 pages and exhibits of up to 70 pages [44-1] (cc: all counsel) (former employee) (Entered: 10/06/1997)
10/07/1997	53	ORDER by Magistrate Leslie C. Smith granting motion to exceed page limitation on brief in support of cross motion for summary judgment/response in opposition to motion for summary judgment [45-1] (cc: all counsel) (former employee) (Entered: 10/07/1997)
10/08/1997	54	MOTION by deft Robin, Inc to allow Virginia Anderman to withdraw as attorney (rg) (Entered: 10/08/1997)
10/08/1997	55	CLERK'S MINUTES: before Magistrate Leslie C. Smith Status conference held on 10/8/97 C/R: R. Chavez (ICMS) (former employee) (Entered: 10/08/1997)
10/08/1997	56	ORDER by Magistrate Leslie C Smith granting mtn to allow Virginia Anderman to withdraw as attorney [54-1] (cc: all counsel) (rg) (Entered: 10/08/1997)
10/09/1997	57	MOTION by defendant for summary judgment (dmw) (Entered: 10/09/1997)
10/09/1997	58	MEMORANDUM brief by defendant in support of motion for summary judgment [57-1] (dmw) (Entered: 10/09/1997)
10/09/1997	59	CROSS-MOTION by plaintiff for summary judgment (dmw) (Entered: 10/09/1997)
10/09/1997	59	RESPONSE by plaintiff in opposition to motion for summary judgment [57-1] (dmw) (Entered: 10/09/1997)

10/09/1997	60	MEMORANDUM by plaintiff in support of response in opposition to summary judgment [59-1] & in support of cross-motion for summary judgment [59-1] (dmw) (Entered: 10/09/1997)
10/10/1997	61	ORDER by Magistrate Leslie C. Smith that all discovery and motions practice are stayed (income tax records due to pltf within 10 days); that 10/21/97 status conference is vacated & may be set at a later date (cc: all counsel) (former employee) (Entered: 10/15/1997)
10/15/1997	62	CERTIFICATE of service of 6th supplementary responses to deft's interogs by plaintiff to counsel on 10/10/97 (jrm) Modified on 10/16/1997 (Entered: 10/15/1997)
10/15/1997	63	MINUTE ORDER: Case referred to Magistrate Lorenzo F. Garcia (cc: all counsel) (ms) (Entered: 10/15/1997)
10/15/1997		LETTER per Rule 83.7 of local rules that Robin, Inc must retain an attorney to represent the corporation no later than 20 days (ms) (Entered: 10/15/1997)
10/29/1997		LETTER to counsel from Magistrate Lorenzo F. Garcia setting settlement conference on 1/14/98 at 9:00 am (dmw) (Entered: 10/29/1997)
11/12/1997		LETTER to counsel that settlement conference is reset on 1/15/98 at 9:00 am before Magistrate Lorenzo F. Garcia (cc: all counsel by clm) (dmw) (Entered: 11/13/1997)
01/07/1998	64	NOTICE to counsel from Magistrate Lorenzo F. Garcia vacating settlement conference set on 1/15/98 (CLERK: clm) (dmw) (Entered: 01/07/1998)
01/14/1998	65	CONSENT JUDGMENT by Senior Judge Howard Bratton dismissing case; judgment in favor of Commission; each party shall bear its own costs and attorney fees; court shall retain jurisdiction of this action for 2 years (cc: all counsel) (former employee) (Entered: 01/15/1998)
07/13/1998	66	AFFIDAVIT of Robert Chavez regarding consent decree [65-2] (dmw) (Entered: 07/14/1998)
01/12/1999	67	SECOND AFFIDAVIT of Robert Chavez regarding consent decree [65-2] (dmw) (Entered: 01/13/1999)
07/13/1999	68	THIRD AFFIDAVIT of Robert Chavez regarding Consent Decree [65-2] (jrm) (Entered: 07/13/1999)
01/18/2000	69	FOURTH AFFIDAVIT of Robert Chavez regarding judgment [65-2] (dmw) (Entered: 01/19/2000)

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