

**U.S. District Court  
District of New Mexico – Version 6.2.1 (Albuquerque)  
CIVIL DOCKET FOR CASE #: 1:04-cv-01108-WDS-RLP**

USA v. Gallup, City of  
Assigned to: Magistrate Judge W. Daniel Schneider  
Referred to: Magistrate Judge Richard L. Puglisi  
Demand: \$0  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/29/2004  
Date Terminated: 10/27/2004  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**United States of America**

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V.

**Defendant**

**Gallup, City of**

represented by **George W. Kozeliski**  
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Date Filed	#	Docket Text
09/29/2004	<u>1</u>	COMPLAINT for civil rights (referred to Magistrate Judge Richard L. Puglisi) (emr) (Entered: 09/30/2004)
09/29/2004		LETTER re: consent to proceed before a US Magistrate Judge (emr) (Entered: 09/30/2004)
09/29/2004	<u>2</u>	JOINT MOTION by USA for order approving and entry of consent decree (bap) (Entered: 10/01/2004)
09/29/2004	<u>3</u>	MEMORANDUM by USA in support of motion for order approving and entry of consent decree [2-1] (bap) (Entered: 10/01/2004)
10/05/2004	<u>4</u>	NOTICE of consent to proceed before a U.S. Magistrate Judge by parties (*) (bap) (Entered: 10/05/2004)
10/27/2004	<u>5</u>	CONSENT JUDGMENT by Magistrate Judge W. D. Schneider granting parties' joint motion for order approving and entry of consent decree [2-1] dismissing case w/prejudice (cc: all counsel) (bap) (Entered: 10/27/2004)
02/16/2005	<u>6</u>	MOTION by deft to amend consent decree (jrm) (Entered: 02/16/2005)
03/02/2005	<u>7</u>	ORDER by Magistrate Judge W. D. Schneider granting deft's motion to amend consent decree entered on 10/27/04 [6-1] as further described herein (cc: all counsel) (bap) (Entered: 03/03/2005)
06/29/2005	<u>8</u>	MOTION by plaintiff to extend time to serve preliminary report until 8/30/05 (dmw) (Entered: 06/29/2005)
07/01/2005	<u>9</u>	ORDER by Magistrate Judge W. D. Schneider granting pltf's motion to extend time to serve preliminary report until 8/30/05 [8-1] (cc: all counsel) (sl) (Entered: 07/01/2005)
07/06/2005	<u>10</u>	MOTION by pltf for leave to correct the case caption in the proposed order associated w/unopposed motion for extension of time (*) (bap) (Entered: 07/06/2005)
07/15/2005	<u>11</u>	ORDER by Magistrate Judge W. D. Schneider granting pltf's motion for leave to correct the case caption in the proposed order associated w/unopposed motion for extension of time [10-1], re [8-1] and vacating order associated with USA filed 7/1/05 and giving USA until 8/30/05 to serve its report to deft City of Gallup (cc: all counsel)

		(bap) (Entered: 07/18/2005)
08/26/2005	<u>12</u>	MOTION by pltf for extension of time until 11/14/05 to serve a preliminary report on deft (*) (bap) (Entered: 08/29/2005)
08/31/2005	<u>13</u>	STIPULATION by parties agreeing that the City of Gallup should be allowed to advertise in the Gallup Independent approved by Magistrate Judge Schneider (seal) (Entered: 08/31/2005)
09/09/2005	<u>14</u>	ORDER by Magistrate Judge W. D. Schneider granting pltf's motion for extension of time until 11/14/05 to serve a preliminary report on deft [12-1] (cc: all counsel*) (bap) (Entered: 09/09/2005)
12/06/2005	<u>15</u>	JOINT MOTION for protective order * (jm) (Entered: 12/06/2005)
12/07/2005	<u>16</u>	ORDER by Magistrate Judge Richard L. Puglisi granting joint mtn for protective order [15-1] (cc: all counsel) (jm) (Entered: 12/07/2005)
03/29/2006	<u>17</u>	JOINT MOTION for fairness hearing * (jm) (Entered: 03/29/2006)
05/08/2006	<u>18</u>	ORDER by Magistrate Judge W. D. Schneider setting fairness hearing for 7/13/06 at 9:00 am (cc: all counsel) (sl) (Entered: 05/08/2006)
05/18/2006	<u>19</u>	NOTICE of proposed relief by pltf* (jm) (Entered: 05/18/2006)
05/25/2006	<u>20</u>	OBJECTION to proposed individual relief by Clyde Harper (jm) (Entered: 05/31/2006)
05/25/2006	<u>21</u>	OBJECTION to proposed individual relief by Kermit R. Johnson (jm) (Entered: 05/31/2006)
05/25/2006	<u>22</u>	OBJECTION to proposed individual relief by Jay Boyd (jm) (Entered: 05/31/2006)
05/30/2006	<u>23</u>	OBJECTION to proposed individual relief by Raymond George (jm) (Entered: 05/31/2006)
05/30/2006	<u>24</u>	OBJECTION to proposed relief by Rose Mary Zuni (jm) (Entered: 05/31/2006)
06/01/2006	<u>25</u>	OBJECTION to proposed individual relief by Lance Martin (jm) (Entered: 06/02/2006)
06/07/2006	<u>26</u>	OBJECTION to proposed individual relief by Delora R. Carrillo (jm) (Entered: 06/07/2006)
06/07/2006	<u>27</u>	OBJECTION to proposed individual relief by Nicole B. Maestas (jm) (Entered: 06/07/2006)
06/07/2006	<u>28</u>	OBJECTION to proposed relief individual relief by Robert Peebles (jm) (Entered: 06/09/2006)
06/09/2006	<u>33</u>	OBJECTION to proposed individual relief by Pierre Thompson (jm) (Entered: 06/13/2006)
06/12/2006	<u>29</u>	AMENDED NOTICE of proposed relief by pltf* (jm) (Entered: 06/12/2006)
06/12/2006	<u>30</u>	OBJECTION to proposed individual Relief by Ernest Thompson (jm) (Entered: 06/12/2006)
06/13/2006	<u>31</u>	OBJECTION to proposed individual relief by Mary Becenti (jm) (Entered: 06/13/2006)
06/13/2006	<u>32</u>	OBJECTION to to porposed relief by Everett Howe (jm) (Entered: 06/13/2006)
06/13/2006	<u>34</u>	OBJECTION to proposed individual relief by Russell Thomas (jm) (Entered: 06/13/2006)
06/13/2006	<u>35</u>	OBJECTION to proposed individual relief by Bernice Milane-Baca (jm) (Entered: 06/13/2006)
06/14/2006	<u>36</u>	OBJECTION to proposed individual relief by Raymond Lewis (jm) (Entered: 06/14/2006)

06/14/2006	<u>37</u>	OBJECTION to proposed individual relief by Frieda S. Hubbard (jm) (Entered: 06/14/2006)
06/14/2006	<u>40</u>	OBJECTION to proposed individual relief by Brenda Benally (jm) (Entered: 06/15/2006)
06/14/2006	<u>41</u>	OBJECTION to proposed individual relief by Denice L. Miller (jm) (Entered: 06/15/2006)
06/14/2006	<u>42</u>	OBJECTION to proposed individual relief by Crystal Chester (jm) (Entered: 06/15/2006)
06/14/2006	<u>43</u>	OBJECTION to proposed individual relief by Georgia C. Begay (jm) (Entered: 06/15/2006)
06/14/2006	<u>44</u>	OBJECTION to proposed individual relief by Charlotte Pete (jm) (Entered: 06/15/2006)
06/14/2006	<u>45</u>	OBJECTION to proposed individual relief by Corina Davis (jm) (Entered: 06/15/2006)
06/14/2006	<u>46</u>	OBJECTION to proposed individual relief by Malcolm C. Becenti (jm) (Entered: 06/15/2006)
06/14/2006	<u>47</u>	OBJECTION to proposed individual relief by Anita Begay (jm) (Entered: 06/15/2006)
06/14/2006	<u>48</u>	OBJECTION to proposed individual relief by Pauline Livingston (jm) (Entered: 06/15/2006)
06/14/2006	<u>49</u>	OBJECTION to proposed individual relief by Nellie Livingston (jm) (Entered: 06/15/2006)
06/14/2006	<u>50</u>	OBJECTION to to proposed individual relief by Katherine Kinsel (jm) (Entered: 06/15/2006)
06/14/2006	<u>54</u>	OBJECTION to proposed individual relief by Lindsey Mescal (jm) (Entered: 06/15/2006)
06/15/2006	<u>38</u>	OBJECTION to proposed individual relief by Victoria Peters (jm) (Entered: 06/15/2006)
06/15/2006	<u>39</u>	OBJECTION to proposed individual relief by Richard Smith, Jr. (jm) (Entered: 06/15/2006)
06/15/2006	<u>51</u>	OBJECTION to proposed individual relief by Lawrey H. McReeves (jm) Modified on 06/19/2006 (Entered: 06/15/2006)
06/15/2006	<u>52</u>	OBJECTION to proposed individual relief by Elvina M. Becenti (jm) (Entered: 06/15/2006)
06/15/2006	<u>53</u>	OBJECTION to proposed individual relief by Fred Thompson, Jr. (jm) (Entered: 06/15/2006)
06/19/2006	<u>55</u>	OBJECTION to proposed individual relief by Linda James (dmw) (Entered: 06/19/2006)
06/30/2006	<u>56</u>	OBJECTION to proposed individual relief by Pauline Livingston (jm) (Entered: 07/03/2006)
07/06/2006	<u>57</u>	MOTION & memorandum by plaintiff for order to approve proposed individual relief & overrule objections * (dmw) (Entered: 07/06/2006)
07/06/2006	<u>58</u>	APPENDIX filed by plaintiff to motion & memorandum for order to approve proposed individual relief & overrule objections [57-1]* (dmw) (Entered: 07/06/2006)
07/06/2006	<u>59</u>	ORDER by Magistrate Judge W. D. Schneider allowing plaintiff to exceed paghe limit on motion & memorandum to approve individual relief & overrule objections (cc: all counsel) (dmw) (Entered: 07/06/2006)
07/13/2006	<u>60</u>	CLERK'S MINUTES of Fairness Hearing held 7/13/06 before Magistrate Judge W. D. Schneider C/R: Julie Goehl-Sanchez* (jm) (Entered: 07/13/2006)

07/17/2006	<u>61</u>	ORDER by Magistrate Judge W. D. Schneider granting pltf's mtn for order to approve proposed individual relief & overrule objections [57-1] (cc: all counsel)* (jm) (Entered: 07/17/2006)
08/22/2006		TRANSCRIPT of Proceedings before Magistrate Judge W. D. Schneider of fairness hearing held on 07/13/06; re [60-1] lodged in separate file folder (pg) (Entered: 08/22/2006)
08/28/2007	<u>62</u>	MOTION to Withdraw, MOTION to Substitute Attorney by Gallup, City of. (Isaacson, Thomas) (Entered: 08/28/2007)
09/27/2007	<u>63</u>	ORDER by Magistrate Judge Richard L. Puglisi granting <u>62</u> Motion to Withdraw ; granting <u>62</u> Motion to Substitute Attorney. Added attorney Thomas Lynn Isaacson for Defendant City of Gallup. Attorney George W. Kozeliski terminated. (caw) (Entered: 09/27/2007)
10/24/2007	<u>64</u>	MOTION to Extend (other) <i>Consent Decree</i> by United States of America. (Attachments: # <u>1</u> Memorandum in Support# <u>2</u> Appendix A# <u>3</u> Proposed Order# <u>4</u> Certificate of Service)(Toomey, Kathleen) modified on 10/29/2007 (dmw) (Entered: 10/24/2007)
10/25/2007	<u>65</u>	NOTICE OF DEFICIENCY sent to Attorney Kathleen Toomey re <u>64</u> MOTION to Extend (other) <i>Consent Decree</i> (jm) (Entered: 10/25/2007)
10/29/2007	<u>66</u>	[FILED IN ERROR] MOTION to Extend (other) <i>Consent Decree</i> by United States of America. (Attachments: # <u>1</u> Appendix A)(Toomey, Kathleen) Modified on 10/29/2007 (dmw) (Entered: 10/29/2007)
10/29/2007	<u>67</u>	[DUPLICATE - FILED IN ERROR] MOTION to Extend (other) <i>Consent Decree</i> by United States of America. (Attachments: # <u>1</u> Memorandum in Support# <u>2</u> Appendix A# <u>3</u> Certificate of Service)(Toomey, Kathleen) Modified on 10/29/2007 (dmw) (Entered: 10/29/2007)
11/07/2007	<u>68</u>	<i>Defendant's</i> RESPONSE to Plaintiff United States' Motion to Extend <i>Consent Decree</i> re <u>67</u> MOTION to Extend (other) <i>Consent Decree</i> filed by Gallup, City of. (Isaacson, Thomas) (Entered: 11/07/2007)
11/07/2007	<u>69</u>	ORDER by Judge W. Daniel Schneider granting <u>64</u> ORDER on Motion to Extend (mm) (Entered: 11/07/2007)
07/06/2009	<u>70</u>	MOTION to Dismiss <i>and Terminate Consent Decree</i> by Gallup, City of. (Isaacson, Lynn) (Entered: 07/06/2009)
07/08/2009	<u>71</u>	CERTIFICATE OF SERVICE by Gallup, City of <i>Certificate of Mailing</i> (Isaacson, Lynn) (Entered: 07/08/2009)
07/29/2009	<u>72</u>	RESPONSE to Motion re <u>70</u> MOTION to Dismiss <i>and Terminate Consent Decree</i> filed by United States of America. (Toomey, Kathleen) (Entered: 07/29/2009)
08/12/2009	<u>73</u>	ORDER by Magistrate Judge W. Daniel Schneider granting <u>70</u> Motion to Dismiss (mm) (Entered: 08/12/2009)