

**United States District Court
District of Nevada (Reno)
CIVIL DOCKET FOR CASE #: 3:01-cv-00563-HDM-VPC**

U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION V. JOHN BRENNAN, ET AL.
Assigned to: Judge Howard D. McKibben
Referred to: Magistrate Judge Robert A. McQuaid, Jr
Magistrate Judge Valerie P. Cooke (Settlement)

Date Filed: 09/26/2001
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

U.S. Equal Employment Opportunity

represented by **Anna Park**
U.S. Equal Employment Opportunity
Commission
255 East Temple Street
4th Floor
Los Angeles, CA 90012-
213-894-1083
Email: anna.park@eoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gregory L. McClinton
United States Equal Employment
Opportunity Commission
Legal unit
255 East Temple Street
4th Floor
Los Angeles, CA 90012-
(213) 894-1000
Fax: 213-894-1118
Email:
Gregory.McClinton@EEOC.Gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

John Brennan

represented by **Dan C. Bowen**
Lionel, Sawyer & Collins
50 W. Liberty St
Suite 1100
Reno, NV 89501
775-788-8666
Email: dbowen@lionelsawyer.com
TERMINATED: 07/11/2002
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Douglas K. Fermoile

Douglas K. Fermoile Attorney at Law
427 Ridge Street
P.O. Box 3197
Reno, NV 89501
(775) 322-3676
Fax: (775) 322-5673
Email: dkflaw@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Little Waldorf Saloon

represented by **Dan C. Bowen**
(See above for address)
TERMINATED: 07/11/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Douglas K. Fermoile

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Serge Rigisich

represented by **Dan C. Bowen**
(See above for address)
TERMINATED: 07/11/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Douglas K. Fermoile

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Rookies II LLC

Defendant

Rookies, Inc.

represented by **Dan C. Bowen**
(See above for address)
TERMINATED: 07/11/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Douglas K. Fermoile

(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
	0	MISCELLANEOUS DOCUMENT ORIGINAL HARD COPY DOCKET SHEET (Entered: 03/13/2003)
09/26/2001	1	MISCELLANEOUS DOCUMENT Civil Cover Sheet (Entered: 02/10/2003)
09/26/2001	2	COMPLAINT Complaint obo P (Entered: 02/10/2003)
10/05/2001	3	CERTIFICATE OF INTERESTED PARTIES obo P; (Entered: 02/10/2003)
10/12/2001		SUMMONS ISSUED as to Ds: Rookies Inc. and John Brennan, Serge rigisich dba Little Waldorf Saloon; (Entered: 02/10/2003)
10/12/2001	4	NOTICE (OTHER) re need to file VP/Desig/Loc/Cnsl sent to Anna Park and Gregory McClinton cnsl for P; (Entered: 02/10/2003)
12/14/2001		MISCELLANEOUS DOCUMENT no text (Entered: 02/10/2003)
12/17/2001	6	DECLARATION of service as to LITTLE WALDORF SALOON by srvng John Brennan on 11/26/01 (no orig summons returned) (Entered: 02/10/2003)
12/17/2001	7	DECLARATION of service as to ROOKIES INC. by srvng Jodie Sellers on 11/26/01 (no orig summons returned) (Entered: 02/10/2003)
12/17/2001	5	ANSWER TO COMPLAINT w/jury demand obo Ds, John Brennan, Serge Rigisich, Little Waldorf Sloon, & Rookies Inc. (m) (Entered: 02/10/2003)
12/20/2001	8	ORDER ORD ENE session sched for 1/29/02 @ 1:30 pm; ENE evaluation statements due in chambers by 4:00 pm on 1/22/02. (Entered: 02/10/2003)
01/30/2002	9	MISCELLANEOUS HEARING ENE/SESSION dtd 1/29/02: ORD the tape of this prcdng is sealed (ptys hv not been able to negotiate settlmnt at this time). (Tape #2002-16) (Entered: 02/10/2003)
02/05/2002	10	ORDER ORD ptys hv period of 5-dys from receipt of this M/O w/in wh to submit disc plan & S/O. (Entered: 02/10/2003)
02/13/2002	12	NOTICE (OTHER) of lodging original signature page of Gregory L. McClinton, cnsl for P, for disc plan & S/O (#11) obo Ds; (Entered: 02/10/2003)
02/13/2002	11	ORDER ON STIPULATION ORD disc c/o 11/1/02; disp mtns due 12/2/02; prpsd jnt PTO due 1/3/03; (Entered: 02/10/2003)
03/14/2002	13	MOTION FOR MISCELLANEOUS RELIEF to permit appearance of gov't attys during the duration of their employment as attys for the US

		Equal Oportunity commission obo P (m) (#14-ord granted) (Entered: 02/10/2003)
04/09/2002	14	ORDER P 's mtn to permit the appearance of governmnt attorneys #13 is granted. (Entered: 02/10/2003)
07/11/2002	15	ORDER WITHDRAWAL/OF/COUNSEL: ORD Dan C. Bowen (Lionel Sawyer & Collins) is withdrawn as co-cnsl for Ds John Brennan, Serge Riginich, Little Waldorf Saloon and Rookies; (Entered: 02/10/2003)
10/09/2002		MISCELLANEOUS DOCUMENT stip for ext of disc c/o date; (Entered: 02/10/2003)
10/10/2002	16	ORDER ON STIPULATION ORD disc c/o ext to 3/14/03; disp mtns due 4/1/03; jnt PTO due 5/15/03; no fur ext will be granted; (Entered: 02/10/2003)
11/14/2002	17	MOTION TO COMPEL D, Rookies Inc. to comply with Ps req for interrogatories obo P (m) (Entered: 02/10/2003)
11/14/2002	18	MOTION TO COMPEL Ds John Brennan, Serge Riginich d/b/a Little Waldorf Saloon to comply with Ps req for interrogatories obo P (m) (Entered: 02/10/2003)
11/14/2002	19	DECLARATION of Gregory L. McClinton in support of Ps mtns to compel (#17/18) obo P (m) (Entered: 02/10/2003)
11/15/2002	20	MOTION TO COMPEL Ds to produce initial disclosures obo P. (m) Note: 20/21 are one document. (Entered: 02/10/2003)
11/19/2002	21	MOTION FOR ATTORNEY FEES obo P. (m) Note: 20/21 are one document. (Entered: 02/10/2003)
12/10/2002	22	RESPONSE IN OPPOSITION TO MOTION to mtn to compel re interros #18 obo Ds. (m) (Entered: 02/10/2003)
12/10/2002	23	RESPONSE IN OPPOSITION TO MOTION to mtn to compel initial disclosures #20 obo Ds. (m) (Entered: 02/10/2003)
12/16/2002	24	ORDER ORD hrng re various mtns sched for 1/30/03 @ 1:30 pm. Mr. McClinton & Mr. Fermoile hv been notified. (Entered: 02/10/2003)
12/18/2002	25	MOTION FOR MISCELLANEOUS RELIEF to amend cmlplt w/prpsd order and amended cmlplt attached obo P (fld sep due to size) (m) (Entered: 02/10/2003)
01/14/2003	26	ORDER ORD Ps mtn for leave to amend cmlplt (#25) granted. P sh srv the amended cmlplt forthwith on all ptys. Rookies, II, LLC sh hv 20-dys frm dt of service to file its answer. FUR ORD ptys meet and confer and submit to this crt a revised disc plan & S/O. (Entered: 02/10/2003)
01/14/2003	27	AMENDED COMPLAINT First obo P (adding: Rookie II LLC) (Entered: 02/10/2003)
01/15/2003	28	REPLY TO RESPONSE TO MOTION to Ds oppo to mtn to compel

		initial disclosures (#20) obo P (m) (Entered: 02/10/2003)
01/31/2003	29	MISCELLANEOUS HEARING dtd 1/30/03 re #s 17/18/20/21 - the mtn to compel interrogs #s 17/18 are granted; P's mtns to compel initial disclosures #s 20/21 are denied as moot; the crt withdraws its order of 1/24/03 #26 tht parties shl submt a new discv pln/ (Entered: 02/10/2003)
02/07/2003		SUMMONS ISSUED as to Rookies II LLC; (Entered: 02/10/2003)
02/19/2003	30	ANSWER TO COMPLAINT to 1s amended cmplt w/jury demand obo Ds Brennan, Riginich, Rookies II and Rookies Inc. (m) (Entered: 02/19/2003)
04/29/2003	31	ORDER ON STIPULATION ORD disc c/o extended to 8/18/03; disp mtns now due 9/18/03; prpsd jnt PTO due 10/18/03. There sh be no further extensions granted. (Entered: 04/30/2003)
04/30/2003	32	MOTION TO COMPEL DEPOSITN PURSNT TO frcp 30(B)(6) obo Ps. (m) (Entered: 05/01/2003)
04/30/2003	33	MOTION FOR MISCELLANEOUS RELIEF Mtn for sanctions obo Ps. (m) (Entered: 05/01/2003)
05/14/2003	34	ORDER ORD Ps mtn to compel depo and mtn for sanctions (#32 & #33) denied as moot; (Entered: 05/15/2003)
09/19/2003	35	NOTICE (OTHER) PTNO: prpsd PTO due 10/18/03; (Entered: 09/19/2003)
10/20/2003		MISCELLANEOUS DOCUMENT Ps stipulated pretrial exhibit list; (Entered: 10/21/2003)
10/20/2003		MISCELLANEOUS DOCUMENT prpsd jnt PTO; (Entered: 10/21/2003)
10/22/2003	36	ORDER ORD case referred to RAM to conduct a settlmnt conf; (Entered: 10/23/2003)
10/22/2003	37	PRETRIAL NOTICE ORDER ORD case set down for jury trial on stacked cal of 3/1/04; cal call TBA. Jury instrctns, voir dire due 2/26/04. Trial briefs not required. (Entered: 10/23/2003)
10/22/2003	38	MISCELLANEOUS DOCUMENT Plaintiff's stipulated pretrial exhibit list; (Entered: 10/24/2003)
10/24/2003	39	ORDER a settlemnt/conf is sched 12/4/03 at 9am before RAM; settlmnt/statement due in chmbrs by 12/2/03; see ord for further specs. (Entered: 10/27/2003)
12/04/2003	40	MISCELLANEOUS HEARING SETTLEMENT/CONFERENCE dtd 12/4/03: ORD ptys are unable to arrive at a settlmnt agreement. Tape of this prcdng is sealed (Tape: #03-010) (Entered: 12/05/2003)
12/18/2003	41	ORDER ORD actn sched for a telephonic status conf on 1/5/04 @ 2:30 pm. cnsl hv been telephonically notified. Trial set on stacked cal of March 1 is continued to 3/8/04 @ 9:00 am; (Entered: 12/19/2003)

01/05/2004	42	MISCELLANEOUS HEARING TELEPHONIC/STATUS/CONFERENCE dtd 1/5/04: ORD ea side sh hv 25-hrs w/in wh to preent their case-in-chief, cross exam & opening and closing statements. Prpsd jnt jury instrctns, prpsd verdict forms and voir dire due 3/1/04. Any mtns in (Entered: 01/06/2004)
01/05/2004	43	ORDER ORD jury instrctns due 5-dys prior to trial; (Entered: 01/06/2004)
02/02/2004		MISCELLANEOUS DOCUMENT stip between ptys re trial issues and mtns in limine; (Entered: 02/03/2004)
02/02/2004	44	MOTION IN LIMINE re solicitation of class members obo P (m) (Entered: 02/03/2004)
02/02/2004	45	MOTION IN LIMINE re exclusion of prior sex acts obo P (m) (Entered: 02/03/2004)
02/03/2004	46	ORDER ON STIPULATION ORDER RE trial issu and mtns in limine: ORD Ds are excluded frm makin any and all references discussion suggestions allustions or presenting evidence w/regard to specific issues (see order for specifics); (Entered: 02/04/2004)
02/09/2004	47	MOTION FOR SUMMARY JUDGMENT PARTIAL ag Ds, Rookies Inc. and Rookies II LLC obo P (m) (Entered: 02/10/2004)
02/09/2004	48	MOTION FOR SUMMARY JUDGMENT PARTIAL obo P (Alter Ego Claim) (fld sep due to size) (m) (Entered: 02/10/2004)
02/09/2004	49	DECLARATION of Gregory L. McClinton in support of P, EEOC's mtn for Part S/J & exhibits 1-19 thereto obo P (m) (fld sep due to size) (Entered: 02/10/2004)
02/09/2004	50	STATEMENT Separate statement of undisputed facts (integrated enterprise) obo P EEOC (m) (Entered: 02/10/2004)
02/23/2004	51	ORDER ORD purs to the jnt ntc and stip of settlmnt (#52) the trial on cal for 3/8/04 is vacated and the pending mtns in limine (#44/45) and part mtns for S/J (#47/48) are denied w/o prej. (Entered: 02/24/2004)
02/23/2004	52	ORDER ON STIPULATION and jnt ntc of settlmnt: ORD all dates vacated pending final settlmnt. This crt sh retain jurisdctn over this matter. Telephonic status conf sched for 3/24/04 @ 9:00 am. (Entered: 02/24/2004)
03/24/2004	53	MISCELLANEOUS HEARING (Dtd: 3/24/04) Teleph Status Conf: Cnsl adv that settlmnt has been reached & prospd consent decree sh be sub w/in the followng wk. Crt will then admin close this actn to allow reopening upon applicatn fo P sh there be nonperformance (Entered: 03/26/2004)
05/27/2004	54	MOTION FOR MISCELLANEOUS RELIEF for trial setting conference obo P (m/f/p) (Entered: 05/27/2004)
05/28/2004	55	ORDER ORD actn sched for telephonic status conf on 6/3/04 @ 8:45

		am; (Entered: 05/28/2004)
06/04/2004	56	MISCELLANEOUS HEARING in the event the stip to resolve ths actn has not bn recd by 6/14/04, ord tht all parties shl appear before ths crt on 6/16/04 at 8:30am; C/R: Kathryn French (Entered: 06/07/2004)
06/14/2004		MISCELLANEOUS DOCUMENT Proposed Final Consent Decree; (Entered: 06/15/2004)
06/14/2004	57	ORDER FINAL/CONSENT/DECREE (see order for specifics) (EOD: 6/15/04) (Entered: 06/15/2004)
06/14/2004	58	ORDER ORD the Final consent Decree (#57) having been entered, this actn is administratively closed subject to reopening upon applctn of P in the event of noncompliance with the terms of the decree (EOD: 6/15/04) (Entered: 06/15/2004)

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