

**United States District Court
District of Nevada (Las Vegas)
CIVIL DOCKET FOR CASE #: 2:05-cv-01203-RLH-PAL**

U.S. EEOC VS TRUGREEN LANDCARE
Assigned to: Chief Judge Roger L. Hunt
Referred to: Magistrate Judge Peggy A. Leen
Magistrate Judge George Foley, Jr (Settlement)
Cause: 42:2000

Date Filed: 09/30/2005
Date Terminated: 10/02/2007
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**U.S. Equal Employment Opportunity
Commission**

represented by **Angela D Morrison**
Nevada Immigrant Resource Project
William S Boyd School of Law, Thomas
&Mack Legal Clinic
4505 Maryland Parkway
Box 451082
Las Vegas, NV 89154-1082
702-895-2082
Fax: 702-895-2081
Email: angela.morrison@unlv.edu
LEAD ATTORNEY

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

Sue J. Noh

United States Equal Employment
Opportunity Commission
Legal Unit
255 East Temple Street
4th Floor
Los Angeles, CA 90012-
(213) 894-1082
Fax: 213-894-1118
Email: sue.noh@eoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Wilfredo Tungol

U.S. Equal Employment Opportunity
Commission
Honolulu Local Office
300 Ala Moana Blvd. #7-127 P.O. Box
50082
Honolulu, Ha 96850
(808)541-3121
Fax: (808)541-3390
Email: wilfredo.tungol@eoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Trugreen Landcare**

represented by **Bruce C Young**
 Littler Mendelson, PC
 3960 Howard Hughes Parkway
 Suite 300
 Las Vegas, NV 89169-5937
 702-862-8800
 Fax: 702-862-8811
 Email: byoung@littler.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deborah L. Westbrook
 Littler Mendelson
 3960 Howard Hughes Parkway
 Suite 300
 Las Vegas, NV 89169-5937
 (702) 862-8800
 Fax: (702) 862-8811
 Email: dwestbrook@littler.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Patrick H. Hicks
 Littler Mendelson, PC
 3960 Howard Hughes Parkway
 Suite 300
 Las Vegas, NV 89109
 Email: phicks@littler.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Wendy M. Krincek
 Littler Mendelson, PC
 3960 Howard Hughes Parkway
 Suite 300
 Las Vegas, NV 89169-5937
 702-862-8800
 Fax: 702-862-8811
 Email: wkrincek@littler.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/30/2005		SUMMONS ISSUED to Pltf (1) (Entered: 10/04/2005)
09/30/2005	<u>1</u>	COMPLAINT by Pltf w/jd. (Entered: 10/04/2005)
12/23/2005	<u>2</u>	WAIVER OF SERVICE Returned Executed by Defendants Trugreen Landcare, Trugreen Landcare. Trugreen Landcare waiver sent on 12/7/2005, answer due 2/5/2006. (MMM,) (Entered: 12/29/2005)
02/03/2006	<u>3</u>	ANSWER to <u>1</u> Complaint by Defendant Trugreen Landcare. Certificate of Interested Parties due by 2/13/2006. Discovery Plan due by 3/20/2006.(Young, Bruce) (Entered: 02/03/2006)
02/03/2006	<u>4</u>	CERTIFICATE of Interested Parties by Defendant Trugreen Landcare. (Young, Bruce) (Entered: 02/03/2006)
02/21/2006	<u>5</u>	ORDER for ENE session on 4/20/06 @ 9:00am. Signed by Judge George W Foley Jr. on 2/10/06. (AXM,) (Entered: 02/21/2006)
03/20/2006	<u>6</u>	PROPOSED Discovery Plan/Scheduling Order filed by Plaintiff U.S. Equal Employment Opportunity Commission <i>Stipulated</i> . (Noh, Sue) (Entered: 03/20/2006)

03/21/2006	<u>7</u>	First MOTION to Continue <i>Early Neutral Evaluation Conference</i> by Defendant Trugreen Landcare. Responses due by 4/8/2006. (Young, Bruce) (Entered: 03/21/2006)
03/23/2006	<u>8</u>	NOTICE: Pursuant to Special Order No. 102 this case has been assigned to the Early Neutral Evaluation Program. Magistrate Judge George W Foley, Jr will be the evaluating judge in this case. Early Neutral Evaluation set for 6/2/2006 09:00 AM before Magistrate Judge George W Foley Jr.. (no image attached) (AXM,) Additional attachment(s) added on 3/28/2006 (AXM,). (Entered: 03/23/2006)
03/27/2006	<u>9</u>	ORDER denying <u>6</u> Proposed Discovery Plan/Scheduling Order. Discovery deadline due by 10/17/06. Motions due by 11/16/06. Proposed Joint Pretrial Order due by 12/18/2006. Interim Status Report due by 8/18/2006. Signed by Judge Peggy A. Leen on 3/24/06. (MJZ) (Entered: 03/28/2006)
04/27/2006	<u>10</u>	NOTICE of Appearance by attorney wilfredo tungol on behalf of Plaintiff U.S. Equal Employment Opportunity Commission. (tungol, wilfredo) (Entered: 04/27/2006)
06/02/2006	<u>11</u>	MINUTES OF PROCEEDINGS – Early Neutral Evaluation Conference held on 6/2/2006 before Judge George W Foley Jr..Pla Counsel: <i>Wilfredo Tungol</i> ; Def Counsel: <i>Patrick Hicks</i> ; No settlement was reached. (AXM) (Entered: 06/02/2006)
06/02/2006	<u>12</u>	MINUTES OF PROCEEDINGS – Early Neutral Evaluation Conference held on 6/2/2006 before Judge George W Foley Jr.. Crtrm Administrator: <i>Julia Hill</i> ; Pla Counsel: <i>Wilfredo Tungol</i> ; Def Counsel: <i>Patrick Hicks</i> ; Time of Hearing: 9:00 a.m.. The Court heard presentations from counsel and each of the parties present and thereafter met individually with counsel and each individual party. No settlement was reached. Accordingly, the court finds this case should be returned to the normal litigation track. (no image attached) (KLS,) (Entered: 06/07/2006)
08/10/2006	<u>13</u>	STIPULATION AND ORDER TO EXTEND DISCOVERY PERIOD [FIRST EXTENSION] by Defendant Trugreen Landcare. (Hicks, Patrick) (Entered: 08/10/2006)
08/16/2006	<u>14</u>	ORDER ON STIPULATION re <u>13</u> Stipulation. SCHEDULING ORDER. Discovery due by 1/15/2007. Motions due by 2/14/2007. Proposed Joint Pretrial Order due by 3/16/2007. Signed by Judge Peggy A. Leen on 8/11/06. (AXM) (Entered: 08/16/2006)
11/16/2006	<u>15</u>	STATUS REPORT <i>Joint Interim Status Report</i> by Defendant Trugreen Landcare. (Westbrook, Deborah) (Entered: 11/16/2006)
11/30/2006	<u>16</u>	MINUTE ORDER IN CHAMBERS of the Honorable Roger L. Hunt, U.S. District Judge on 11/30/2006. By Deputy Clerk: Kandy Capozzi. Having reviewed the Joint Interim Status Report, IT IS HEREBY ORDERED this case shall be referred to the U.S. Magistrate Judge upon close of discovery, which is currently 1/15/2007, for the scheduling of a settlement conference. Calendar Call set for 6/13/2007 08:45 AM in LV Courtroom 6C before Judge Roger L. Hunt. Jury Trial set for 6/18/2007 08:30 AM in LV Courtroom 6C before Judge Roger L. Hunt. These dates shall be included in the Joint Pretrial Order. Any requests for continuances of discovery or dispositive motions shall also include a concurrent request for continuance of the trial date and supply available dates. (no image attached) (KMC,) (Entered: 11/30/2006)
12/26/2006	<u>17</u>	STIPULATION <i>To Extend Discovery and Order to Extend Discovery Period</i> by Plaintiff U.S. Equal Employment Opportunity Commission. (Morrison, Angela) (Entered: 12/26/2006)
12/26/2006	<u>18</u>	STIPULATION <i>Request for Continuance of Trial Date</i> by Plaintiff U.S. Equal Employment Opportunity Commission. (Morrison, Angela) (Entered: 12/26/2006)
12/29/2006	<u>19</u>	SCHEDULING ORDER Re: <u>17</u> Stipulation to Extend Discovery Period. Discovery due by 2/14/2007. Motions due by 3/16/2007. Proposed Joint Pretrial Order due by 4/15/2007. Signed by Judge Peggy A. Leen on 12/27/06. (AAB) (Entered: 12/29/2006)

01/08/2007	<u>20</u>	ORDER ON STIPULATION GRANTING <u>18</u> Stipulation to reset trial deadlines. Calendar Call set for 10/10/2007 08:30 AM in LV Courtroom 6C before Judge Roger L. Hunt. Jury Trial set for 10/15/2007 08:45 AM in LV Courtroom 6C before Judge Roger L. Hunt. Ordered that upon close of discovery case shall be referred to U.S. Magistrate Judge for settlement conference. Signed by Judge Roger L. Hunt on 1/3/07. (AXM) (Entered: 01/08/2007)
01/09/2007	<u>21</u>	ORDER Scheduling Settlement Conference: Settlement Conference set for 5/10/2007 09:30 AM in LV Courtroom 3B before Magistrate Judge Peggy A. Leen. Signed by Judge Peggy A. Leen on 1/5/07. (AAB) (Entered: 01/10/2007)
02/26/2007	<u>22</u>	STIPULATION <i>Stipulation and order continuing dispostivie motions and pretrial order deadlines</i> by Defendant Trugreen Landcare. (Westbrook, Deborah). (Entered: 02/26/2007)
03/02/2007	<u>23</u>	NOTICE of Hearing: on #22 Stiulation Miscellaneous Hearing set for 3/13/2007 08:45 AM in LV Courtroom 3B before Magistrate Judge Peggy A. Leen. (AXM) (Entered: 03/02/2007)
03/05/2007	<u>24</u>	NOTICE of Hearing: Hearing reset for 3/13/2007 02:00 PM in LV Courtroom 3B before Magistrate Judge Peggy A. Leen. Hearing set for 3/13/07 is VACATED.(AXM) (Entered: 03/06/2007)
03/13/2007	25	MINUTES OF PROCEEDINGS – Discovery Hearing held on 3/13/2007 before Judge Peggy A. Leen. Crtrm Administrator: <i>Jeff Miller</i> ; Pla Counsel: <i>Angela D. Morrison, Esq.</i> ; Def Counsel: <i>Deborah L. Westbrook, Esq. (via telephone)</i> ; Court Reporter/FTR #: <i>2:03:40 – 2:08:31</i> ; Time of Hearing: <i>2:00pm</i> . After discussing this matter with counsel, The Court will approve and sign their proposed stipulation to extend motions and pretrial deadlines. (no image attached) (JAM,) (Entered: 03/13/2007)
03/13/2007	<u>26</u>	SCHEDULING ORDER. Motions due by 6/11/2007. Proposed Joint Pretrial Order due by 7/11/2007. Signed by Judge Peggy A. Leen on 3/13/07. (MAJ) (Entered: 03/16/2007)
04/26/2007	<u>27</u>	STIPULATION <i>STIPULATION AND REQUEST FOR ORDER VACATING SETTLEMENT CONFERENCE</i> by Defendant Trugreen Landcare. (Westbrook, Deborah) (Entered: 04/26/2007)
05/01/2007	<u>28</u>	ORDER ON STIPULATION granting <u>27</u> Stipulation to VACATE settlement conference. Signed by Judge Peggy A. Leen on 4/30/07. (AXM) Modified on 5/4/2007 (AXM, correcting judge). (Entered: 05/01/2007)
07/11/2007	<u>29</u>	PROPOSED Pretrial Order by Plaintiff U.S. Equal Employment Opportunity Commission. (Morrison, Angela) (Entered: 07/11/2007)
07/13/2007	<u>30</u>	PRETRIAL ORDER: Jury Trial set for 10/15/2007 08:30 AM in LV Courtroom 6C before Chief Judge Roger L. Hunt., Calendar Call set for 10/10/2007 08:45 AM in LV Courtroom 6C before Chief Judge Roger L. Hunt., Proposed Jury Instructions due by 10/10/2007., Proposed Voir Dire due by 10/10/2007. Signed by Judge Roger L. Hunt on 7/13/07. (Copies have been distributed pursuant to the NEF – AXM) (Entered: 07/17/2007)
07/13/2007	<u>31</u>	ORDER REFERRING CASE to Magistrate Judge for settlement conference. Signed by Judge Roger L. Hunt on 7/13/07. (Copies have been distributed pursuant to the NEF – AXM) (Entered: 07/17/2007)
07/17/2007	<u>32</u>	ORDER Scheduling Settlement Conference: Settlement Conference set for 8/30/2007 09:30 AM in Chambers before Magistrate Judge Peggy A. Leen. Signed by Judge Peggy A. Leen on 7/17/07. (Copies have been distributed pursuant to the NEF – MJZ) (Entered: 07/19/2007)
08/23/2007	<u>33</u>	STIPULATION <i>STIPULATION AND ORDER VACATING SETTLEMENT CONFERENCE</i> by Defendant Trugreen Landcare. (Krincek, Wendy) (Entered: 08/23/2007)
08/28/2007	<u>34</u>	ORDER ON STIPULATION Granting <u>33</u> Stipulation to vacate settlement conference. Signed by Judge Peggy A. Leen on 8/27/07. (Copies have been distributed pursuant to the NEF – AXM) (Entered: 08/28/2007)

09/26/2007	<u>35</u>	ORDER REGARDING TRIAL: Jury Trial set for 10/15/2007 08:30 AM in LV Courtroom 6C before Chief Judge Roger L. Hunt. Calendar Call set for 10/15/2007 08:45 AM in LV Courtroom 6C before Chief Judge Roger L. Hunt. Exhibit List due by 10/10/2007. Proposed Voir Dire due by 10/10/2007. Proposed Jury Instructions due by 10/10/2007. Trial Briefs due by 10/10/2007. Signed by Judge Roger L. Hunt on 9/26/2007. (Copies have been distributed pursuant to the NEF – KMC) (Entered: 09/26/2007)
09/26/2007	<u>36</u>	ORDER REGARDING TRIAL: Bench Trial set for 10/15/2007 08:30 AM in LV Courtroom 6C before Chief Judge Roger L. Hunt. Calendar Call set for 10/10/2007 08:45 AM in LV Courtroom 6C before Chief Judge Roger L. Hunt. Exhibit List due by 10/10/2007. Proposed Findings of Fact and Conclusions of Law due by 10/10/2007. Signed by Judge Roger L. Hunt on 9/26/2007. (Copies have been distributed pursuant to the NEF – KMC) (Entered: 09/26/2007)
09/26/2007	37	NOTICE ORDER REGARDING TRIAL <u>36</u> <i>rescinded</i> . (Docketed in wrong case.) (KMC) (Entered: 09/26/2007)
10/01/2007	<u>38</u>	SETTLEMENT AGREEMENT [<i>Proposed</i>] <i>Consent Decree; Order</i> by Plaintiff U.S. Equal Employment Opportunity Commission. (Park, Anna) (Entered: 10/01/2007)
10/02/2007	<u>39</u>	CONSENT DECREE. Signed by Judge Roger L. Hunt on 10/2/07. (Copies have been distributed pursuant to the NEF – AXM) (Entered: 10/02/2007)