

CLOSED

**U.S. District Court
District of South Dakota (Western Division)
CIVIL DOCKET FOR CASE #: 5:03-cv-05091-RHB**

Sami Martinez v. North Central Supply, Inc.
Assigned to: U. S. District Judge Richard H. Battey
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 09/17/2003
Date Terminated: 01/11/2006
Jury Demand: Defendant
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

TERMINATED: 09/15/2005

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Date Filed	#	Docket Text
09/17/2003	1	COMPLAINT with Jury Demand. 0 Summons(es) issued - , filed by Equal Employment Opportunity Commission.(RCL,) (Entered: 09/17/2003)
09/17/2003	2	CIVIL COVER SHEET (RCL,) (Entered: 09/17/2003)
09/26/2003	3	MOTION to Intervene by Sami Martinez. (CLM,) (Entered: 09/29/2003)
09/26/2003	4	BRIEF Support re 3 MOTION to Intervene filed by Sami Martinez. (CLM,) (Entered: 09/29/2003)
11/03/2003	5	WAIVER OF SERVICE Returned Executed filed by Equal Employment Opportunity Commission. North Central Supply, Inc. executed waiver on 10/16/2003, answer due 12/15/2003. (JLH,) (Entered: 11/05/2003)
11/20/2003	6	ORDER granting 3 Motion to Intervene . Signed by Judge Richard H. Battey on 11/20/03. (RCL,) (Entered: 11/20/2003)
11/24/2003	7	INTERVENOR COMPLAINT with Jury Trial Demand, filed by Sami Martinez.(JLH,) (Entered: 11/25/2003)
11/25/2003		Intervenor Complaint Summons Issued as to North Central Supply, Inc. Fur 1 copy to Atty Knudsen for service (JLH,) (Entered: 11/25/2003)
11/28/2003	8	Corrected waiver of service filed by Equal Employment Opportunity Commission. (MWT) (Entered: 11/28/2003)
12/02/2003	9	ANSWER to Complaint with Jury Demand by North Central Supply, Inc.(JLH,) (Entered: 12/02/2003)
12/03/2003	10	ORDER For Form 35 Report and Scheduling Information. Signed by Judge Richard H. Battey on 12/3/03. (BBH,) (Entered: 12/03/2003)
12/05/2003	11	SUMMONS Returned Executed by Sami Martinez. North Central Supply, Inc. served on 12/2/2003. (RCL,) (Entered: 12/05/2003)
12/24/2003	12	ANSWER to Intervenor Complaint by North Central Supply, Inc.(JLH,) (Entered: 12/26/2003)
02/05/2004	13	FORM 35 REPORT of Parties Planning Meeting re 10 Order for Form 35. (BBH,) (Entered: 02/06/2004)
02/09/2004	14	SCHEDULING ORDER: Discovery due by 9/1/2004. Motions due by 10/1/2004 signed by Judge Richard H. Battey on 2/9/04. (BBH,) (Entered: 02/09/2004)
02/09/2004	15	Confirmation of mailing NOE to non-ecf counsel (BBH,) (Entered: 02/09/2004)
08/18/2004	16	NOTICE to Take Deposition of Mike Titus (Knudsen, Donald) (Entered: 08/18/2004)
08/18/2004	17	NOTICE to Take Deposition of Ron Colerick (Knudsen, Donald) (Entered: 08/18/2004)
08/18/2004	18	NOTICE to Take Deposition of Jerry Baragar (Knudsen, Donald) (Entered: 08/18/2004)

08/18/2004	19	NOTICE to Take Deposition of Steve L/N/U (Knudsen, Donald) (Entered: 08/18/2004)
08/19/2004		NOTICE of Filing Error: Notice to Take Deposition 16 FILED IN ERROR - Signature of attorney was omitted - (Knudsen, Donald) Modified Docket Text on 8/20/2004 (RCL,). (Entered: 08/19/2004)
08/19/2004	20	NOTICE to Take Deposition of Mike Titus (Knudsen, Donald) (Entered: 08/19/2004)
08/19/2004	21	NOTICE to Take Deposition of Kay Bull Bear (Nooney, John) (Entered: 08/19/2004)
08/19/2004	22	NOTICE to Take Deposition of Sami Martinez (Nooney, John) (Entered: 08/19/2004)
08/19/2004	23	APPLICATION for Writ of Habeas Corpus Ad Testificandum - <i>Kay Bull Bear</i> by North Central Supply, Inc.. (Nooney, John) (Entered: 08/19/2004)
08/19/2004	24	APPLICATION for Writ of Habeas Corpus Ad Testificandum - <i>Sami Martinez</i> by North Central Supply, Inc.. (Nooney, John) (Entered: 08/19/2004)
08/19/2004		NOTICE of Filing Error: Notice to Take Deposition 22 , Application for Writ 23 filed by North Central Supply, Inc., Application for Writ 24 filed by North Central Supply, Inc., Notice to Take Deposition 21 FILED IN ERROR-SIGNATURE INCORRECT; DOCUMENTS HAVE BEEN REFILED; SEE 26 27 28 29 (RCL,) (Entered: 08/20/2004)
08/20/2004	25	NOTICE of Appearance by Gregory J. Bernard on behalf of North Central Supply, Inc. (Bernard, Gregory) (Entered: 08/20/2004)
08/20/2004	26	NOTICE to Take Deposition of Kay Bull Bear (Bernard, Gregory) (Entered: 08/20/2004)
08/20/2004	27	NOTICE to Take Deposition of Sami Martinez (Bernard, Gregory) (Entered: 08/20/2004)
08/20/2004	28	APPLICATION for Writ of Habeas Corpus Ad Testificandum - <i>Kay Bull Bear</i> by North Central Supply, Inc.. (Bernard, Gregory) (Entered: 08/20/2004)
08/20/2004	29	APPLICATION for Writ of Habeas Corpus Ad Testificandum - <i>Sami Martinez</i> by North Central Supply, Inc.. (Bernard, Gregory) (Entered: 08/20/2004)
08/20/2004	30	CERTIFICATE Certificate of Service by North Central Supply, Inc.. (Attachments: # 1)(Bernard, Gregory) (Entered: 08/20/2004)
08/23/2004	31	ORDER denying re 28 Application for Writ as to Kay Bull Bear filed by North Central Supply, Inc.; and denying re 29 Application for Writ as to Sami Martinez filed by North Central Supply, Inc. signed by Judge Richard H. Battey on August 23, 2004. (JLH,) (Entered: 08/23/2004)
08/26/2004	32	<i>Amended</i> NOTICE to Take Deposition of Sami Martinez (Nooney, John) (Entered: 08/26/2004)
08/26/2004	33	<i>Amended</i> NOTICE to Take Deposition of Marvallen K. Bull Bear (Nooney, John) (Entered: 08/26/2004)

08/30/2004	34	MOTION to Extend <i>Time</i> by North Central Supply, Inc.. (Nooney, John) (Entered: 08/30/2004)
08/30/2004	35	STIPULATION <i>for Extension of Time</i> by North Central Supply, Inc.. (Nooney, John) (Entered: 08/30/2004)
08/31/2004		NOTICE of Filing Error: Motion to Extend 34 filed by North Central Supply, Inc. FILED IN ERROR (Nooney, John) (Entered: 08/31/2004)
08/31/2004	36	MOTION to Extend <i>Time</i> by North Central Supply, Inc.. (Nooney, John) (Entered: 08/31/2004)
08/31/2004	37	ORDER granting 36 Motion to Extend . Signed by Judge Richard H. Battey on 8/31/04. (RCL,) (Entered: 08/31/2004)
09/09/2004	38	AFFIDAVIT of Service for Amended Subpoena served on Duane Russell for Marvallen K. Bull Bear on August 23, 2004, filed by North Central Supply, Inc.. (Nooney, John) (Entered: 09/09/2004)
09/09/2004	39	CERTIFICATE OF SERVICE by North Central Supply, Inc. (Attachments: # 1)(Nooney, John) (Entered: 09/09/2004)
12/15/2004	40	SCHEDULING ORDER: Pretrial Conference set for 3/22/2005 09:00 AM in RC 2nd Floor Courtroom before Senior Judge Richard H. Battey Jury Trial set for 3/29/2005 09:00 AM in RC 2nd Floor Courtroom before Senior Judge Richard H. Battey signed by Judge Richard H. Battey on 12/15/04. (CLM,) (Entered: 12/15/2004)
02/24/2005	41	First MOTION for Settlement <i>Conference</i> by Sami Martinez. (Knudsen, Donald) (Entered: 02/24/2005)
03/04/2005	42	NOTICE of Settlement Conference and Settlement Conference ORDER; settlement conference scheduled 03/15/05 at 9 a.m.; submissions due within 10 days prior to the conference signed by Judge Marshall P. Young on March 4, 2005. (JLH,) (Entered: 03/04/2005)
03/15/2005	43	PRETRIAL MEMORANDUM by North Central Supply, Inc.. (Attachments: # 1 Motion in Limine re: testimony# 2 Motion in Limine re: Probable Cause# 3 Proposed Jury Instructions)(Nooney, John) (Entered: 03/15/2005)
03/15/2005	44	APPLICATION for Writ of Habeas Corpus Ad Testificandum for Marvallen Kay Bull Bear by Sami Martinez. (Knudsen, Donald) (Entered: 03/15/2005)
03/15/2005	45	PRETRIAL MEMORANDUM by Sami Martinez, Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit Proposed Jury Instructions# 2 Exhibit Motion in Limine and supporting Memorandum)(Knudsen, Donald) (Entered: 03/15/2005)
03/16/2005	46	MOTION for Leave to Amend Pretrial Conference Checklist by North Central Supply, Inc.. (Nooney, John) (Entered: 03/16/2005)
03/17/2005	47	WRIT of Habeas Corpus Ad Testificandum. Signed by Judge Richard H. Battey on 3/17/05. Delivered certified copies of application and writ to USM. (JMM,) (Entered: 03/17/2005)

03/17/2005	48	ORDER granting 46 Motion for Leave to file amended pretrial checklist. Signed by Judge Richard H. Battey on 3/17/05. (JMM,) (Entered: 03/17/2005)
03/17/2005	49	AMENDED DOCUMENT by North Central Supply, Inc.. Amendment to 43 Pretrial Memorandum. (Nooney, John) (Entered: 03/17/2005)
03/17/2005	50	First MOTION to Dismiss <i>Counts II and III of Complaint and Demand for Jury Trial</i> by Sami Martinez. (Knudsen, Donald) (Entered: 03/17/2005)
03/17/2005	51	REPLY to 45 Pretrial Memorandum <i>In Opposition to Motion in Limine Regarding Sexual Preference</i> filed by North Central Supply, Inc.. (Nooney, John) (Entered: 03/17/2005)
03/17/2005	53	NOTICE OF READING MIKE TITUS' DEPOSITION TRANSCRIPT INTO THE RECORD DURING TRIAL by Sami Martinez (Attachments: # 1 Deposition Transcript of Michael Titus# 2 Exhibit 1: 2001 Attendance Controller - Sami Martinez # 3 Exhibit 2: Termination Report - Sami Martinez# 4 Exhibit 3: Termination Report Auguie Martinis# 5 Exhibit 4: 2001 Attendance Controller - Auguie Martines# 6 Exhibit 5: Termination Report - Bruce Clark# 7 Exhibit 6: Termination Report Daniel Escandon# 8 Exhibit 7: Termination Report Anel Lawrence# 9 Exhibit 8: Notes)(MWT,) (Entered: 03/18/2005)
03/18/2005	54	First MOTION to Seal Document [52] Reply by Sami Martinez. (Knudsen, Donald) (Entered: 03/18/2005)
03/18/2005	55	First MOTION Allow Witness to Wear Street Clothes at Trial by Sami Martinez. (Knudsen, Donald) (Entered: 03/18/2005)
03/18/2005	56	AMEDED WRIT OF Habeas Corpus Ad Testificandum. signed by Judge Richard H. Battey on 03-18-05. (MWT,) (Entered: 03/18/2005)
03/21/2005	57	MOTION IN LIMINE: by North Central Supply, Inc.. (Attachments: # 1 Affidavit of Ron Colerick)(Nooney, John) (Entered: 03/21/2005)
03/21/2005	58	MOTION IN LIMINE: by North Central Supply, Inc.. (Nooney, John) (Entered: 03/21/2005)
03/21/2005	59	MEMORANDUM in Opposition re 57 MOTION IN LIMINE: filed by Sami Martinez. (Knudsen, Donald) (Entered: 03/21/2005)
03/21/2005	60	AFFIDAVIT of Daniel E. Ashmore re 59 Memorandum in Opposition to Motion. (Knudsen, Donald) (Entered: 03/21/2005)
03/21/2005	61	AFFIDAVIT of Donald P. Knudsen re 59 Memorandum in Opposition to Motion. (Knudsen, Donald) (Entered: 03/21/2005)
03/21/2005	62	RESPONSE to [52] Reply filed by Sami Martinez. (Knudsen, Donald) (Entered: 03/21/2005)
03/21/2005	63	REPLY to 43 Pretrial Memorandum filed by Sami Martinez. (Attachments: # 1 Exhibit A# 2 Exhibit B)(Knudsen, Donald) (Entered: 03/21/2005)
03/21/2005	64	First MOTION to Dismiss <i>Additional Count of Complaint</i> by Sami Martinez. (Knudsen, Donald) (Entered: 03/21/2005)
03/22/2005	65	SUBPOENA for Steve Hickens returned (BBH,) (Entered: 03/22/2005)

03/22/2005	66	SUBPOENA for Jerry Baragar returned (BBH,) (Entered: 03/22/2005)
03/22/2005	67	SUBPOENA for Sean Nichols returned (BBH,) (Entered: 03/22/2005)
03/22/2005	68	Pretrial Conference held on 3/22/2005 before Judge Richard H. Battey (Court Reporter Tringie Holt) (JLH,) (Entered: 03/22/2005)
03/23/2005	69	ORDER rescinding re 56 Amended Writ of Habeas Corpus Ad Testificandum signed by Judge Richard H. Battey on March 23, 2005. Fur. 3 c. copies to USMS, for service(JLH,) Modified on 3/23/2005 to correct above entry mailing 3 c. copies to Warden, SD Womens Prison, 3200 E. Hwy 34, Suite 1, Pierre, SD 57501(JLH,). (Entered: 03/23/2005)
03/23/2005	70	BRIEFING SCHEDULE re 57 Motion In Limine to Disqualify Plaintiff's Counsel: Plaintiff shall serve and file a responsive brief by 4/19/2005. defendant shal file a reply brief within 15 days of the filing of plaintiff's responsive brief. signed by Judge Richard H. Battey on March 23, 2005. (JLH,) (Entered: 03/23/2005)
03/23/2005	71	ORDER granting pllaintiff Sami Martinez' 54 Motion to Seal Document [52] Reply Brief in Support of its opposition to hermotion in limine regarding sexual preference. Signed by Judge Richard H. Battey on March 23, 2005. (JLH,) (Entered: 03/23/2005)
03/25/2005	72	SUBPOENA for Nancy J. Old Bull returned (JLH,) (Entered: 03/25/2005)
04/06/2005	73	SUBPOENA for Ray Falk returned (Attachments: # 1 Hughes County Sheriff's Office Return of Service)(BBH,) (Entered: 04/06/2005)
04/11/2005	74	First MOTION for Leave to Withdraw as Legal Counsel by Sami Martinez. (Knudsen, Donald) (Entered: 04/11/2005)
04/11/2005	75	RESPONSE to Motion re 57 MOTION IN LIMINE: filed by Sami Martinez. (Knudsen, Donald) (Entered: 04/11/2005)
04/12/2005	76	ORDER granting 57 Motion in Limine re: Disqualification of Plaintiff's Counsel, granting 74 Motion for Leave to withdraw . Signed by Judge Richard H. Battey on 4/12/2005. (BBH,) (Entered: 04/12/2005)
04/12/2005	77	REPLY to 74 Motion for Leave to <i>Withdraw as Legal Counsel</i> filed by North Central Supply, Inc.. (Nooney, John) (Entered: 04/12/2005)
04/20/2005	78	NOTICE of Appearance by Michael William Strain on behalf of Sami Martinez (DLC) (Entered: 04/20/2005)
04/21/2005	79	ORDER signed by Judge Richard H. Battey on April 21, 2005. Plaintiff's Counsel shall notify the Court within 10 days of when he will be ready for trial.(DLC) (Entered: 04/21/2005)
04/21/2005	81	NOTICE of Appearance by Kim R. Rogers on behalf of Equal Employment Opportunity Commission (Rogers, Kim) (Entered: 04/21/2005)
05/03/2005	82	DECLARATION of Michael W. Strain re 79 Order regarding available trial times. (JLH,) (Entered: 05/03/2005)

05/06/2005	83	ORDER extending Discovery deadline to 6/15/2005 and a new scheduling order shall be issued setting a new pretrial submission deadline and a new trial date signed by Judge Richard H. Battey on May 6, 2005. (JLH,) (Entered: 05/06/2005)
06/20/2005	85	WRIT of of Habeas Corpus ad Testificandum Returned Unexecuted as to Marvallen Kay Bull Bear. (SST,) Modified on 6/22/2005 (SST,). (Entered: 06/21/2005)
07/20/2005	86	SCHEDULING ORDER: Pretrial Conference set for 9/27/2005 09:00 AM in RC 2nd Floor Courtroom before Senior Judge Richard H. Battey. Jury Trial set for 10/4/2005 09:00 AM in RC 3rd Floor Courtroom before Senior Judge Richard H. Battey. Signed by Judge Richard H. Battey on 7/20/2005. (BBH,) (Entered: 07/20/2005)
08/30/2005	88	Notice of Settlement Conference and Settlement Conference Order. Signed by Judge Marshall P. Young on 08/30/05. (MWT,) (Entered: 08/30/2005)
09/12/2005	90	CONSENT to Decree by Defendant North Central Supply, Inc.. (Attachments: # 1 Attachment A, Notice to Employees)(Bernard, Gregory) Modified on 9/13/2005 to add description of attachment (BBH,). (Entered: 09/12/2005)
09/12/2005	91	STIPULATION of Dismissal <i>as to Plaintiff EEOC's Complaint Pursuant to Consent Decree</i> by North Central Supply, Inc.. (Bernard, Gregory) (Entered: 09/12/2005)
09/15/2005	92	JUDGMENT OF DISMISSAL WITH PREJUDICE as to Equal Employment Opportunity Commission, dismissed pursuant to Consent Decree on its merits, with prejudice, and without further notice or costs to any party. Signed by Judge Richard H. Battey on 9/14/2005. (BBH,) (Entered: 09/15/2005)
09/15/2005	94	MOTION to Continue by North Central Supply, Inc.. (Nooney, John) (Entered: 09/15/2005)
09/15/2005	95	AFFIDAVIT of John K. Nooney re 94 MOTION to Continue. (Nooney, John) (Entered: 09/15/2005)
09/15/2005	96	STIPULATION re 94 MOTION to Continue by North Central Supply, Inc.. (Nooney, John) (Entered: 09/15/2005)
09/16/2005	97	ORDER that prior counsel of record for plaintiff Sami Martinez submit an itemized statement to support any claim for attorneys fees. Signed by Judge Andrew W. Bogue on 09/16/05. (MWT,) (Entered: 09/16/2005)
09/19/2005	99	SCHEDULING ORDER: Pretrial Conference set for 11/22/2005 11:00 AM in RC 2nd Floor Courtroom before Senior Judge Richard H. Battey. Jury Trial set for 11/29/2005 09:00 AM in RC 2nd Floor Courtroom before Senior Judge Richard H. Battey. Signed by Judge Richard H. Battey on 9/19/2005. (BBH,) (Entered: 09/19/2005)
09/26/2005	101	MOTION to Continue by North Central Supply, Inc.. (Nooney, John) (Entered: 09/26/2005)
09/26/2005	102	AFFIDAVIT of John K. Nooney re 101 MOTION to Continue. (Nooney, John) (Entered: 09/26/2005)

10/06/2005	103	ORDER granting 101 Motion to Continue. Signed by Judge Richard H. Battey on October 6, 2005. (JLH,) (Entered: 10/06/2005)
10/06/2005		Set Deadlines/Hearings: Pretrial Submissions due 01/10/06; Final Pretrial Conference set for 1/18/2006 at 9:00 AM in RC 2nd Floor Courtroom before Senior Judge Richard H. Battey. Jury Trial set for 1/24/2006 at 9:00 AM in RC 2nd Floor Courtroom before Senior Judge Richard H. Battey. (JLH,) (Entered: 10/06/2005)
10/11/2005	105	MOTION to Seal Document (Exhibit G to the Affidavit of Donald P. Knudsen in Support of Attorney Fee Request), by Donald Knudsen on behalf of plaintiff, Sami Martinez. (JLH,) (Entered: 10/11/2005)
10/11/2005	106	ORDER denying 105 Motion to Seal Document. Signed by Judge Richard H. Battey on 10/11/05. (SST,) (Entered: 10/11/2005)
10/11/2005	108	RESPONSE to 97 Order to Submit Itemized Statement in Support of Attorney's Fee Request filed by Sami Martinez. (Attachments: # 1 Affidavit of Donald P. Knudsen; # 2 Exhibit A - CV of Donald P. Knudsen; # 3 Exhibit B - List of Reported and Unpublished Decisions; # 4 Exhibit C - Cases resulting in petitions for certiorari; # 5 Exhibit D - Eighth Circuit cases; # 6 Exhibit E - Federal Court cases; # 7 Exhibit F - South Dakota Supreme Court cases; # 8 Itemized Interim Statement; # 9 Affidavit of Thomas E. Simmons; # 10 Exhibit A - CV of Thomas E. Simmons; # 11 Affidavit of Becky M. Purnington; # 12 Exhibit A - Diploma awarded to Becky Purnington; # 13 Exhibit B - Certificate awarded to Becky Purnington; # 14 Affidavit of Jane Wipf Pfeifle; # 15 Affidavit of Michael W. Strain)(SST,) Modified on 10/17/2005 (SST,). (Entered: 10/11/2005)
10/11/2005	109	MEMORANDUM in Support of Submission Regarding Attorneys' Fees filed by Sami Martinez. (Attachments: # 1 Exhibit A - Rifenerick v. Porter Apple Co. - opinion; # 2 Exhibit B - Moysis v. DTG Datanet, Inc. - opinion; # 3 Exhibit C - Waner v. Ford Motor Company - opinion; # 4 Exhibit D - Jay Shultz web page; # 5 Exhibit E - Emery v. Hunt - order; # 6 Exhibit E - Emery v. Hunt - Declaration of Patrick Duffy; # 7 Exhibit E - Emery v. Hunt - brief; # 8 Exhibit F - Bone Shirt v. Hazeltine - order; # 9 Exhibit F - Bone Shirt v. Nelson - Declaration of Bryan Sells; # 10 Exhibit G - Hanig v. Lee - order; # 11 Exhibit G - Affidavit of Kenneth Dewell; # 12 Exhibit G - Hanig v. Lee - Eighth Circuit opinion; # 13 Exhibit H - Hansen v. Actuarial - order; # 14 Exhibit I - Bone Shirt v. Nelson - Declaration of Patrick Duffy; # 15 Exhibit I - Bone Shirt v. Nelson - Declaration of Patrick Duffy; # 16 Exhibit J - Bone Shirt v. Nelson - Declaration of Mike Abourezk; # 17 Exhibit J - Torres v. Unum - Affidavit of Gregory Eiesland; # 18 Exhibit J - Kukla v. Hulm - Affidavit of Kenneth Dewell; # 19 Exhibit J - Hansen v. Actuarial - Affidavit of James Leach)(SST,) Additional attachment(s) added on 10/12/2005 (SST,). (Entered: 10/11/2005)
11/03/2005	110	REPLY In opposition to 108 Response to 97 Order to Submit Itemized Statement in Support of Attorney's Fee Request filed by North Central Supply, Inc. (Attachments: # 1 Affidavit of Michael P. Reynolds)(JLH,) (Entered: 11/03/2005)
11/08/2005	111	ORDER re 108 Response filed by Sami Martinez. Signed by Judge Richard H. Battey on 11/8/05. (SST,) (Entered: 11/08/2005)

11/10/2005	113	MOTION to Amend/Correct 111 Order <i>or Reconsider Order</i> by Sami Martinez. (Knudsen, Donald) (Entered: 11/10/2005)
11/10/2005	114	MEMORANDUM in Support re 113 MOTION to Amend/Correct 111 Order <i>or Reconsider Order</i> filed by Sami Martinez. (Knudsen, Donald) (Entered: 11/10/2005)
12/09/2005	115	ORDER granting in part and denying in part 113 Motion to Amend/Correct. Signed by Judge Richard H. Battey on 12/8/05. (SST,) (Entered: 12/09/2005)
01/11/2006	117	JUDGMENT Dismissing Case without prejudice to the right of any party to reopen the action if settlement is not consummated. Signed by Judge Richard H. Battey on 1/11/2006. (BBH,) (Entered: 01/11/2006)
04/06/2006	119	STIPULATION of Dismissal by North Central Supply, Inc.. (Nooney, John) (Entered: 04/06/2006)
04/07/2006	120	Judgment of Dismissal with prejudice. Signed by Judge Richard H. Battey on April 7, 2006. (JLH,) (Entered: 04/07/2006)

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