

CLOSED, MOTREF

**U.S. District Court  
District of South Dakota (Southern Division)  
CIVIL DOCKET FOR CASE #: 4:04-cv-04215-LLP**

Equal Employment Opportunity Commission v. Siouxland Oral  
Maxillofacial Surgery Associates, L.L.P.  
Assigned to: U. S. District Judge Lawrence L. Piersol  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 12/28/2004  
Date Terminated: 04/11/2007  
Jury Demand: Both  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff****Equal Employment Opportunity  
Commission**represented by **Anjuli Kelotra**

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**Intervenor Plaintiff**

**Richelle Dooley**

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**Intervenor Plaintiff**

**Angie Gacke**

represented by **John Ryan Pekas**  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Siouxland Oral Maxillofacial Surgery  
Associates, L.L.P.**

represented by **Michael L. Luce**  
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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
12/28/2004	<a href="#">1</a>	COMPLAINT with Jury Demand. 2 Summons(es) issued - mailed, filed by Equal Employment Opportunity Commission.(SKM) (Entered: 12/28/2004)
12/28/2004	<a href="#">2</a>	CIVIL COVER SHEET (SKM) (Entered: 12/28/2004)
12/28/2004	<a href="#">3</a>	Summons Issued as to Siouxland Oral Maxillofacial Surgery Associates, L.L.P. (SKM) (Entered: 12/28/2004)
01/13/2005	<a href="#">4</a>	MOTION to Intervene by Rachele Dooley and Angie Gacke and upon intervention wish to dismiss their separate claim under CIV04-4516. (LMZ) (Entered: 01/20/2005)
01/13/2005	<a href="#">5</a>	MEMORANDUM in Support of <a href="#">4</a> MOTION to Intervene . (LMZ) (Entered: 01/20/2005)
02/14/2005	<a href="#">6</a>	WAIVER OF SERVICE of Summons Returned Executed by Equal Employment Opportunity Commission. Siouxland Oral Maxillofacial Surgery Associates, L.L.P. (JMM, ) (Entered: 02/14/2005)
02/28/2005	<a href="#">7</a>	ANSWER to Complaint by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.(Simons, Susan) (Entered: 02/28/2005)
02/28/2005	<a href="#">8</a>	DEMAND for Trial by Jury by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 02/28/2005)
02/28/2005	<a href="#">9</a>	RESPONSE to Motion re <a href="#">4</a> MOTION to Intervene filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 02/28/2005)
02/28/2005	<a href="#">10</a>	MOTION to Sever by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 02/28/2005)
02/28/2005	<a href="#">11</a>	MEMORANDUM in Support re <a href="#">10</a> MOTION to Sever filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Attachments: # <a href="#">1</a> )(Simons, Susan) (Entered: 02/28/2005)
03/17/2005	<a href="#">12</a>	RESPONSE to Motion re <a href="#">10</a> MOTION to Sever filed by Equal Employment Opportunity Commission. (Weeks, Nancy) (Entered: 03/17/2005)
03/21/2005	<a href="#">13</a>	RESPONSE to <a href="#">10</a> Motion to Sever by Intervener plaintiffs Rachele Dooley and Angie Gackie. (SKM) (Entered: 03/21/2005)
03/23/2005	<a href="#">14</a>	CORPORATE Disclosure Statement by Defendant Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 03/23/2005)
03/24/2005	<a href="#">15</a>	REPLY to Motion Reponse re <a href="#">10</a> MOTION to Sever filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 03/24/2005)
03/31/2005	<a href="#">16</a>	ORDER granting <a href="#">4</a> Motion to Intervene. Signed by Judge Lawrence L. Piersol on 3/31/05. (DJP) (Entered: 04/01/2005)
05/27/2005	<a href="#">18</a>	MEMORANDUM OPINION AND ORDER denying <a href="#">10</a> Motion to Sever . Signed by Judge Lawrence L. Piersol on 5/27/05. (SLL, ) (Entered: 05/27/2005)

09/01/2005	<a href="#">20</a>	NOTICE of Appearance by Kim R. Rogers on behalf of Equal Employment Opportunity Commission (Rogers, Kim) (Entered: 09/01/2005)
09/02/2005	<a href="#">21</a>	ORDER For Form 35 Report and Scheduling Information. Signed by Judge Lawrence L. Piersol on 9/2/05. (LMZ) (Entered: 09/02/2005)
09/12/2005	<a href="#">23</a>	REPORT of Rule 26(f) Planning Meeting. (Rogers, Kim) (Entered: 09/12/2005)
09/23/2005	<a href="#">24</a>	SCHEDULING ORDER: Discovery due by 5/1/2006; Motions due by 6/2/2006; Motion Hearing set for 9/18/2006 01:30 PM before Chief Judge Lawrence L. Piersol; Pretrial Conference set for 9/18/2006 01:30 PM before Chief Judge Lawrence L. Piersol; Jury Trial set for 10/17/2006 09:30 AM before Chief Judge Lawrence L. Piersol. Signed by Judge Lawrence L. Piersol on 9/23/05. (SKM) (Entered: 09/23/2005)
10/03/2005	<a href="#">26</a>	RULE 26 Disclosures by Richelle Dooley, Angie Gacke. (SKM) (Entered: 10/04/2005)
01/17/2006	<a href="#">27</a>	RULE 26 Expert Preliminary Disclosure by Richelle Dooley, Angie Gacke. (Attachments: # <a href="#">1</a> Richard C. Flugge Resume)(DJP) (Entered: 01/17/2006)
02/23/2006		Settlement Conference held on 2/23/2006 before Judge John E. Simko(CG) (Entered: 03/07/2006)
03/31/2006	<a href="#">28</a>	Joint MOTION to Extend Deadlines <i>Extension of Scheduling Order</i> by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 03/31/2006)
04/10/2006	<a href="#">29</a>	NOTICE to Take Deposition of Richelle Dooley (Simons, Susan) (Entered: 04/10/2006)
04/10/2006	<a href="#">30</a>	NOTICE to Take Deposition of Angie Gacke (Simons, Susan) (Entered: 04/10/2006)
04/10/2006	<a href="#">31</a>	AMENDED RULE 16 SCHEDULING ORDER: Discovery due by 7/24/2006; Motions due by 8/25/2006; Motion Hearing set for 10/30/2006 09:00 AM before U. S. District Judge Lawrence L. Piersol; Pretrial Conference set for 10/30/2006 09:00 AM before U. S. District Judge Lawrence L. Piersol; Jury Trial set for 12/5/2006 09:30 AM before U. S. District Judge Lawrence L. Piersol. Signed by Judge Lawrence L. Piersol on 4/10/06. (SKM) (Entered: 04/11/2006)
04/12/2006	<a href="#">33</a>	First MOTION to Compel <i>Discovery</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit: Charge of Discrimination; # <a href="#">2</a> Exhibit: Letter from Carol Garry to Kathleen Fjellestad dated 10/30/02; # <a href="#">3</a> Exhibit: Angie Gacke Statement of July 1, 2002; # <a href="#">4</a> Exhibit: Charge of Discrimination; # <a href="#">5</a> Exhibit: Sherena Kost Letter to Human Relations dated 5/8/02; # <a href="#">6</a> Exhibit: Cardenas vs. Prudential, US District Court, District of Minnesota)(Rogers, Kim) (Entered: 04/12/2006)
04/12/2006	<a href="#">34</a>	MOTION to Seal Document Exhibit F by Equal Employment Opportunity Commission. (Rogers, Kim) (Entered: 04/12/2006)
04/12/2006	<a href="#">35</a>	Exhibit F to doc 33. (Rogers, Kim) Modified on 4/13/2006-unsealed document pursuant to order <a href="#">36</a> (SKM). (Entered: 04/12/2006)

04/12/2006	<a href="#">36</a>	ORDER denying <a href="#">34</a> Motion to Seal Document. Signed by Judge John E. Simko on 4/12/06. (SKM) (Entered: 04/13/2006)
04/18/2006	<a href="#">38</a>	ORDER REFERRING MOTION: <a href="#">33</a> First MOTION to Compel <i>Discovery</i> filed by Equal Employment Opportunity Commission, Signed by Judge Lawrence L. Piersol on 4/18/06. (SLL, ) (Entered: 04/19/2006)
04/19/2006	<a href="#">40</a>	MEMORANDUM in Opposition re <a href="#">33</a> First MOTION to Compel <i>Discovery</i> filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Attachments: # <a href="#">1</a> Exhibit A: Response of Dooley to Sioux Falls Human Relations Commission# <a href="#">2</a> Exhibit B: Siouxland Oral notes# <a href="#">3</a> Exhibit C: Siouxland Oral Policy Manual# <a href="#">4</a> Exhibit D: Siouxland Oral employee leave records# <a href="#">5</a> Exhibit E: Siouxland Oral - EEO Training)(Simons, Susan) (Entered: 04/19/2006)
05/03/2006	<a href="#">41</a>	REPLY to <a href="#">40</a> Memorandum in Opposition to Motion,, <a href="#">33</a> Motion to Compel, filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit A: Excerpt from Leave Policy)(Rogers, Kim) (Entered: 05/03/2006)
05/09/2006	<a href="#">42</a>	ORDER granting <a href="#">33</a> Motion to Compel production of requested documents in requests for Production 7 and 8; deferring request for production of documents showing defendant's net worth. Signed by Judge John E. Simko on 5/9/06. (SLL, ) (Entered: 05/09/2006)
05/31/2006	<a href="#">44</a>	<i>Amended</i> NOTICE to Take Deposition of Richelle Dooley (Simons, Susan) (Entered: 05/31/2006)
05/31/2006	<a href="#">45</a>	<i>Amended</i> NOTICE to Take Deposition of Angie Gacke (Simons, Susan) (Entered: 05/31/2006)
05/31/2006	<a href="#">46</a>	NOTICE to Take Deposition of Kathleen Fjellstad (Rogers, Kim) (Entered: 05/31/2006)
05/31/2006	<a href="#">47</a>	NOTICE to Take Deposition of Jenny DeVries (Rogers, Kim) (Entered: 05/31/2006)
05/31/2006	<a href="#">48</a>	NOTICE to Take Deposition of Rebecca Akerson (Rogers, Kim) (Entered: 05/31/2006)
05/31/2006	<a href="#">49</a>	NOTICE to Take Deposition of Shelly Hofer (Rogers, Kim) (Entered: 05/31/2006)
07/05/2006	<a href="#">50</a>	NOTICE to Take Deposition of Sherena Kost (Rogers, Kim) (Entered: 07/05/2006)
07/05/2006	<a href="#">51</a>	NOTICE to Take Deposition of Dr. H.A. Akerson (Rogers, Kim) (Entered: 07/05/2006)
07/05/2006	<a href="#">52</a>	NOTICE to Take Deposition of Dr. Bernard Balaban (Rogers, Kim) (Entered: 07/05/2006)
07/06/2006	<a href="#">53</a>	NOTICE to Take Deposition of Corporation Pursuant to Fed. R. Civ. P. 30(b)(6) (Rogers, Kim) (Entered: 07/06/2006)
08/24/2006	<a href="#">54</a>	MOTION for Summary Judgment by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 08/24/2006)

08/24/2006	<a href="#">55</a>	MEMORANDUM in Support re <a href="#">54</a> MOTION for Summary Judgment filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 08/24/2006)
08/24/2006	<a href="#">56</a>	STATEMENT OF <i>Undisputed</i> MATERIAL FACTS re <a href="#">54</a> Motion for Summary Judgment, <a href="#">55</a> Memorandum in Support of Motion by Defendant Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 08/24/2006)
08/24/2006	<a href="#">57</a>	APPENDIX by Defendant Siouxland Oral Maxillofacial Surgery Associates, L.L.P. re <a href="#">56</a> Statement of Material Facts. (Attachments: # <a href="#">1</a> H.A. Akerson Deposition# <a href="#">2</a> Rebecca Akerson Deposition# <a href="#">3</a> B. Balaban Deposition# <a href="#">4</a> Richelle Dooley Deposition# <a href="#">5</a> Kathleen Fjellestad Deposition# <a href="#">6</a> Angie Gacke Deposition# (7) Jennifer Hanson# (8) Shelley Hofer Deposition# <a href="#">9</a> Sherena Kost# (10) Exhibits from Depositions# (11) EEOC Responses to Defendant's Request for Production# <a href="#">12</a> Exhibit from Defendant's Supp Answers to EEOC's Discovery)(Simons, Susan) (Entered: 08/24/2006)
08/24/2006	<a href="#">58</a>	CERTIFICATE of Service by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 08/24/2006)
08/24/2006	<a href="#">59</a>	MOTION for Separate Trials by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 08/24/2006)
08/24/2006	<a href="#">60</a>	MEMORANDUM in Support re <a href="#">59</a> MOTION for Separate Trials filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 08/24/2006)
08/24/2006	<a href="#">61</a>	DESIGNATION of Expert Witness(es) by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Attachments: # <a href="#">1</a> Jim Carroll's Report# <a href="#">2</a> Curriculum Vitae of Jim Carroll# <a href="#">3</a> List of Cases)(Simons, Susan) (Entered: 08/24/2006)
08/25/2006	<a href="#">62</a>	MOTION to Seal Document <a href="#">57</a> Appendix,, <i>Tabs 7, 8, 10 and 11</i> by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 08/25/2006)
08/25/2006	<a href="#">63</a>	APPENDIX by Defendant Siouxland Oral Maxillofacial Surgery Associates, L.L.P. re <a href="#">57</a> Appendix,, <i>Redacted, Tabs 7, 8, 10 and 11</i> . (Attachments: # <a href="#">1</a> Jennifer Hanson# <a href="#">2</a> Shelley Hofer# <a href="#">3</a> Exhibits from Depositions# <a href="#">4</a> Plaintiff EEOC's Responses to Defendant's Request for Production)(Simons, Susan) (Entered: 08/25/2006)
08/30/2006	<a href="#">64</a>	Amended MOTION to Seal Document <a href="#">63</a> Appendix,, <a href="#">62</a> MOTION to Seal Document <a href="#">57</a> Appendix,, <i>Tabs 7, 8, 10 and 11</i> by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 08/30/2006)
09/07/2006	<a href="#">65</a>	Joint MOTION to Strike <a href="#">61</a> Designation of Expert Witness <i>James Carroll</i> by Equal Employment Opportunity Commission. (Rogers, Kim) (Entered: 09/07/2006)
09/08/2006	<a href="#">66</a>	ORDER granting <a href="#">64</a> Motion to Seal Document <a href="#">57</a> Appendix, Tabs 7, 8, 10 and 11., Signed by Judge Lawrence L. Piersol on 9/8/06. (SLL, ) (Entered: 09/08/2006)
09/08/2006		SEALING Tabs 7, 8, 10, and 11 of Doc. 57, pursuant to Order of Court dated 9/8/06 (SLL, ) (Entered: 09/08/2006)



09/12/2006		NOTICE of Filing Error: Motion to Strike <a href="#">65</a> filed by Equal Employment Opportunity Commission, FILED IN ERROR (Rogers, Kim) (Entered: 09/12/2006)
09/12/2006	<a href="#">68</a>	Joint MOTION to Strike <a href="#">61</a> Designation of Expert Witness <i>James Carroll</i> by Equal Employment Opportunity Commission. (Rogers, Kim) (Entered: 09/12/2006)
09/13/2006	<a href="#">69</a>	MEMORANDUM in Opposition re <a href="#">68</a> Joint MOTION to Strike <a href="#">61</a> Designation of Expert Witness <i>James Carroll</i> filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 09/13/2006)
09/13/2006	<a href="#">70</a>	AFFIDAVIT of Susan Brunick Simons re <a href="#">69</a> Memorandum in Opposition to Motion <i>Objection and Joint Motion to Strike Defendant's Expert James Carroll</i> . (Attachments: # <a href="#">1</a> September 6, 2005, correspondence# <a href="#">2</a> September 12, 2005, e-mail# <a href="#">3</a> January 17, 2006 correspondence# <a href="#">4</a> January 23, 2006 correspondence# <a href="#">5</a> March 15, 2006 correspondence# <a href="#">6</a> April 11, 2006 correspondence# <a href="#">7</a> June 19, 2006 correspondence# <a href="#">8</a> June 23, 2006 correspondence# <a href="#">9</a> Defendant's Expert Disclosure# <a href="#">10</a> September 6, 2006 correspondence# <a href="#">11</a> Itemization of fees)(Simons, Susan) (Entered: 09/13/2006)
09/13/2006	<a href="#">71</a>	MOTION for Sanctions by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 09/13/2006)
09/13/2006	<a href="#">72</a>	MEMORANDUM in Support re <a href="#">71</a> MOTION for Sanctions filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 09/13/2006)
09/13/2006	<a href="#">73</a>	CERTIFICATE of Service by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 09/13/2006)
09/13/2006	<a href="#">74</a>	Joint MOTION to Extend Deadlines <i>for Briefing Schedule</i> by Equal Employment Opportunity Commission. (Rogers, Kim) (Entered: 09/13/2006)
09/15/2006	<a href="#">75</a>	SECOND AMENDED RULE 16 SCHEDULING ORDER: Motion Hearing set for 10/30/2006 09:00 AM before U. S. District Judge Lawrence L. Piersol; Pretrial Conference set for 10/30/2006 09:00 AM before U. S. District Judge Lawrence L. Piersol; Jury Trial set for 12/5/2006 09:30 AM before U. S. District Judge Lawrence L. Piersol. Signed by Judge Lawrence L. Piersol on 9/15/06. (SKM) (Entered: 09/15/2006)
09/15/2006	<a href="#">77</a>	ORDER REFERRING MOTION: <a href="#">71</a> MOTION for Sanctions filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P. referred to Mag. John Simko for a report and recommendation. Signed by Judge Lawrence L. Piersol on 9/15/06. (SKM) (Entered: 09/18/2006)
09/20/2006	<a href="#">79</a>	MEMORANDUM in Opposition re <a href="#">54</a> MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Weeks, Nancy) (Entered: 09/20/2006)
09/20/2006	<a href="#">80</a>	AFFIDAVIT in Opposition re <a href="#">54</a> MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Ackerson depo# <a href="#">2</a> Balaban depo# <a href="#">3</a> Dooley depo# <a href="#">4</a> Fjellestad depo# <a href="#">5</a> Gacke depo# <a href="#">6</a> Hanson depo# <a href="#">7</a> Hofer depo# <a href="#">8</a> Kost depo# <a href="#">9</a> Exhibit 1# <a href="#">10</a> Exhibit 2# <a href="#">11</a> Exhibit 3# <a href="#">12</a> Exhibit 6# <a href="#">13</a> Exhibit 7# <a href="#">14</a> Exhibit 8# <a href="#">15</a> Exhibit 9# <a href="#">16</a> Exhibit 11# <a href="#">17</a> Exhibit

		13# <a href="#">18</a> Exhibit 14# <a href="#">19</a> Exhibit 16# <a href="#">20</a> Exhibit 19# <a href="#">21</a> Exhibit 21# <a href="#">22</a> Exhibit 23# <a href="#">23</a> Exhibit 27# <a href="#">24</a> Exhibit 28# <a href="#">25</a> Exhibit 29# <a href="#">26</a> Exhibit 30# <a href="#">27</a> Exhibit 35# <a href="#">28</a> Exhibit 40)(Weeks, Nancy) (Entered: 09/20/2006)
09/20/2006	<a href="#">81</a>	RESPONSE to Motion re <a href="#">54</a> MOTION for Summary Judgment <i>Plaintiffs' Disputed Facts</i> filed by Equal Employment Opportunity Commission. (Weeks, Nancy) (Entered: 09/20/2006)
09/20/2006	<a href="#">82</a>	MEMORANDUM in Opposition re <a href="#">59</a> MOTION for Separate Trials filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> King v. West)(Weeks, Nancy) (Entered: 09/20/2006)
10/02/2006	<a href="#">83</a>	RESPONSE to Motion re <a href="#">71</a> MOTION for Sanctions filed by Richelle Dooley, Angie Gacke. (SKM) (Entered: 10/02/2006)
10/02/2006	<a href="#">84</a>	AFFIDAVIT of Richard C. Flugge re <a href="#">83</a> Response to Motion. (SKM) (Entered: 10/02/2006)
10/02/2006	<a href="#">85</a>	CERTIFICATE OF SERVICE by Richelle Dooley, Angie Gacke (SKM) (Entered: 10/02/2006)
10/04/2006	<a href="#">86</a>	REPLY to <a href="#">54</a> Motion for Summary Judgment <i>Brief in Support of</i> filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 10/04/2006)
10/04/2006	<a href="#">87</a>	RESPONSE to <a href="#">81</a> Response to Motion <i>EEOC/Intervenors' Disputed Facts</i> filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 10/04/2006)
10/04/2006	<a href="#">88</a>	AFFIDAVIT of Sherena Kost re <a href="#">87</a> Response <i>Defendant's Response to EEOC/Intervenors' Disputed Facts</i> . (Simons, Susan) (Entered: 10/04/2006)
10/04/2006	<a href="#">89</a>	REPLY to <a href="#">59</a> Motion for Miscellaneous Relief <i>in Support of Defendant's Motion for Separate Trials</i> filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 10/04/2006)
10/04/2006	<a href="#">90</a>	REPLY to <a href="#">71</a> Motion for Sanctions <i>in Support of Defendant's Motion for Sanctions</i> filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 10/04/2006)
10/04/2006	<a href="#">91</a>	CERTIFICATE of Service by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 10/04/2006)
10/09/2006	<a href="#">92</a>	AFFIDAVIT of Susan Brunick Simons re <a href="#">71</a> MOTION for Sanctions <i>Supplemental</i> . (Attachments: # <a href="#">1</a> Statement of Costs to prepare Reply re Motion for Sanctions)(Simons, Susan) (Entered: 10/09/2006)
10/09/2006	<a href="#">93</a>	CERTIFICATE of Service by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 10/09/2006)
10/30/2006	<a href="#">94</a>	MINUTES - Motion Hearing held on 10/30/2006 re <a href="#">68</a> Joint MOTION to Strike <a href="#">61</a> Designation of Expert Witness <i>James Carroll</i> filed by Equal Employment Opportunity Commission,, <a href="#">59</a> MOTION for Separate Trials filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.,, <a href="#">54</a> MOTION for Summary Judgment filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.,, <a href="#">71</a> MOTION for Sanctions filed by Siouxland Oral Maxillofacial Surgery



		Associates, L.L.P., Final Pretrial Conference held on 10/30/2006 before Judge Lawrence L. Piersol (Court Reporter Jerry May/FTR) (JMM, ) Modified on 11/22/2006 (JMM, ). (hearing was held on 10/30/06, minutes mistakenly state 10/29/06) (Entered: 10/30/2006)
11/22/2006	<a href="#">95</a>	THIRD AMENDED RULE 16 SCHEDULING ORDER: Jury Trial set for 3/27/2007 09:30 AM before U. S. District Judge Lawrence L. Piersol. Signed by Judge Lawrence L. Piersol on 11/22/06. (SKM) (Entered: 11/24/2006)
12/15/2006	<a href="#">97</a>	RULE 26 Disclosures by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit Rebuttal Expert Report)(Rogers, Kim) (Entered: 12/15/2006)
01/22/2007	<a href="#">98</a>	NOTICE of Appearance by Loretta F. Medina on behalf of Equal Employment Opportunity Commission (LMZ) (Entered: 01/22/2007)
02/02/2007	<a href="#">99</a>	NOTICE to Take Deposition of James Carroll by Richelle Dooley, Angie Gacke.(SKM) (Entered: 02/02/2007)
02/12/2007	<a href="#">100</a>	STATUS REPORT <i>Notice of Compliance with Court Order</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Letter dated 2/2/07 Attachment # <a href="#">2</a> Letter dated 2/7/07 Attachment #(3) Regional Attorneys' Manual Part 3 "Conducting Litigation")(Rogers, Kim) Descriptive text added on 2/13/2007 (Lovro, Sharon). (Entered: 02/12/2007)
02/13/2007	<a href="#">101</a>	REPLY to <a href="#">100</a> Status Report, to Plaintiff EEOC's <i>Notice of Compliance with Court Order and Defendant's Notice of Compliance with Court Order</i> filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Attachments: # <a href="#">1</a> January 11, 2007, Telephone Message# <a href="#">2</a> January 19, 2007, letter from Attorney Pekas# <a href="#">3</a> January 25, 2007, telephone message)(Simons, Susan) (Entered: 02/13/2007)
03/09/2007	<a href="#">102</a>	MEMORANDUM OPINION ORDER RE: SUMMARY JUDGMENT AND OTHER MOTIONS granting <a href="#">54</a> motion for summary judgment with regard to Plaintiffs' pattern and practice discrimination claims and denying <a href="#">54</a> Motion for Summary Judgment with regard to disparate treatment claims of the EEOC, Dooley, and Gacke; denying <a href="#">59</a> Motion for separate trials; denying <a href="#">68</a> Motion to Strike Designation of Expert Witness James Carroll; denying <a href="#">71</a> Motion for Sanctions. Signed by Judge Lawrence L. Piersol on 3/9/07. (SLL) (Entered: 03/12/2007)
03/19/2007	<a href="#">104</a>	ORDER FOR TRIAL: Jury Trial set for 4/3/2007 09:30 AM before U. S. District Judge Lawrence L. Piersol Signed by Judge Lawrence L. Piersol on 3/19/07. (SLL) (Entered: 03/20/2007)
03/20/2007	<a href="#">106</a>	Witness List by Equal Employment Opportunity Commission.(Rogers, Kim) (Entered: 03/20/2007)
03/20/2007	<a href="#">107</a>	Exhibit List by Equal Employment Opportunity Commission.. (Attachments: # <a href="#">1</a> Exhibit List)(Rogers, Kim) (Entered: 03/20/2007)
03/20/2007	<a href="#">108</a>	MOTION Release of Juror Questionnaires by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 03/20/2007)

03/20/2007	<a href="#">109</a>	Witness List by Siouxland Oral Maxillofacial Surgery Associates, L.L.P..(Simons, Susan) (Entered: 03/20/2007)
03/20/2007	<a href="#">110</a>	Exhibit List by Siouxland Oral Maxillofacial Surgery Associates, L.L.P..(Simons, Susan) (Entered: 03/20/2007)
03/20/2007	<a href="#">111</a>	MOTION Limit Examination Under Rule 611 by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 03/20/2007)
03/20/2007	<a href="#">112</a>	MEMORANDUM in Support re <a href="#">111</a> MOTION Limit Examination Under Rule 611 filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 03/20/2007)
03/20/2007	<a href="#">113</a>	Proposed Jury Instructions by Siouxland Oral Maxillofacial Surgery Associates, L.L.P..(Simons, Susan) (Entered: 03/20/2007)
03/20/2007	<a href="#">114</a>	MOTION IN LIMINE: Part 1: to exclude evidence relating to settlement discussions; Part 2: to exclude expert opinions that have not been previously disclosed; Part 3: to prohibit Plaintiffs' counsel from making a golden rule argument; Part 4: to exclude evidence regarding front pay; Part 5: to exclude the Administrative Agency findings; Part 6: to exclude evidence of policies adopted and personnel decisions after 2002; Part 7: to exclude evidence of Kost's performance appraisal; Part 8: to exclude evidence or argument that Siouxland engaged in a pattern and practice of discrimination Part 9: to exclude evidence that Siouxland did not rehire Dooley Part 10: to exclude evidence of and references to ADA and FMLA by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 03/20/2007)
03/20/2007	<a href="#">115</a>	MEMORANDUM in Support re <a href="#">114</a> MOTION IN LIMINE: Part 1: to exclude evidence relating to settlement discussions; Part 2: to exclude expert opinions that have not been previously disclosed; Part 3: to prohibit Plaintiffs' counsel from making a golden rule argument; Part 4: to e filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Attachments: # <a href="#">1</a> New Hire Document - H. Kietzmann# <a href="#">2</a> New Hire Document - D. Fogelson)(Simons, Susan) (Entered: 03/20/2007)
03/20/2007	<a href="#">116</a>	Proposed Jury Instructions by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Proposed Jury Instructions)(Rogers, Kim) (Entered: 03/20/2007)
03/22/2007	<a href="#">117</a>	ORDER granting <a href="#">108</a> Motion for release of juror questionnaires. Signed by Judge Lawrence L. Piersol on 3/22/07. (JMM) (Entered: 03/23/2007)
03/26/2007	<a href="#">118</a>	Amended Witness List by Equal Employment Opportunity Commission.(Rogers, Kim) Modified on 3/30/2007 (Meisenheimer, Jackie). (Entered: 03/26/2007)
03/27/2007	<a href="#">119</a>	OBJECTIONS by Plaintiff Equal Employment Opportunity Commission re <a href="#">113</a> Proposed Jury Instructions. (Rogers, Kim) (Entered: 03/27/2007)
03/27/2007	<a href="#">120</a>	RESPONSE to Motion re <a href="#">111</a> MOTION Limit Examination Under Rule 611 filed by Equal Employment Opportunity Commission. (Rogers, Kim) (Entered: 03/27/2007)
03/27/2007	<a href="#">121</a>	OBJECTIONS by Defendant Siouxland Oral Maxillofacial Surgery Associates, L.L.P. re <a href="#">116</a> Proposed Jury Instructions. (Attachments: # <a href="#">1</a> Defendant's

		Undisputed Material Facts Not Disputed by EEOC and Intervenors# <a href="#">2</a> South Dakota Pattern Jury Instruction 2-12)(Simons, Susan) (Entered: 03/27/2007)
03/27/2007	<a href="#">122</a>	OBJECTIONS by Defendant Siouxland Oral Maxillofacial Surgery Associates, L.L.P. re <a href="#">107</a> Exhibit List. (Simons, Susan) (Entered: 03/27/2007)
03/27/2007	<a href="#">123</a>	RESPONSE to Motion re <a href="#">114</a> MOTION IN LIMINE: Part 1: to exclude evidence relating to settlement discussions; Part 2: to exclude expert opinions that have not been previously disclosed; Part 3: to prohibit Plaintiffs' counsel from making a golden rule argument; Part 4: to e filed by Equal Employment Opportunity Commission. (Rogers, Kim) (Entered: 03/27/2007)
04/02/2007	<a href="#">125</a>	MEMORANDUM OPINION AND ORDER denying <a href="#">111</a> Motion to Limit Examination under Fed.R.Evid.611(a). Signed by Judge Lawrence L. Piersol on 4/2/2007. (LMZ) (Entered: 04/02/2007)
04/03/2007		Voir Dire held on 4/3/2007 before Judge Lawrence L. Piersol (Court Reporter Jerry May/FTR) (JMM) (Entered: 04/06/2007)
04/03/2007		Jury Trial began on 4/3/2007 before Judge Lawrence L. Piersol (Court Reporter Jerry May/FTR #1) (JMM) (Entered: 04/06/2007)
04/03/2007	<a href="#">128</a>	Jury List.(JMM) (Entered: 04/06/2007)
04/04/2007		Jury Trial continued on 4/4/2007 before Judge Lawrence L. Piersol (Court Reporter Jerry May/FTR#1) (JMM) (Entered: 04/09/2007)
04/05/2007		Jury Trial continued on 4/5/2007 before Judge Lawrence L. Piersol (Court Reporter Jerry May/FTR) (JMM) (Entered: 04/09/2007)
04/06/2007	<a href="#">127</a>	Proposed Jury Instructions by Siouxland Oral Maxillofacial Surgery Associates, L.L.P..(Simons, Susan) (Entered: 04/06/2007)
04/06/2007	<a href="#">129</a>	Defendant's Additional Proposed Jury Instruction(JMM) (Entered: 04/09/2007)
04/06/2007	<a href="#">130</a>	MINUTES - Jury Trial completed on 4/6/2007 before Judge Lawrence L. Piersol (Court Reporter Jerry May/FTR) (JMM) (Entered: 04/09/2007)
04/06/2007	<a href="#">131</a>	VERDICT in favor of plaintiff Angie Gacke and against Siouxland Oral Maxillofacial Surgery in the amount of \$5,757.00.(JMM) (Entered: 04/09/2007)
04/06/2007	<a href="#">132</a>	VERDICT in favor of plaintiff Richelle Dooley and against Siouxland Oral Maillofacial Surgery in the amount of \$15,341.00.(JMM) (Entered: 04/09/2007)
04/06/2007	<a href="#">133</a>	Preliminary Jury Instructions.(JMM) (Entered: 04/09/2007)
04/06/2007	<a href="#">134</a>	Jury Instructions read to the jury by the Court(JMM) (Entered: 04/09/2007)
04/06/2007	<a href="#">135</a>	Jury Instructions with cites(JMM) (Entered: 04/09/2007)
04/06/2007	<a href="#">148</a>	Exhibit List by Equal Employment Opportunity Commission, Richelle Dooley, Angie Gacke.(JMM) (Entered: 05/10/2007)
04/06/2007	<a href="#">149</a>	Exhibit List by Siouxland Oral Maxillofacial Surgery Associates, L.L.P...(JMM) (Entered: 05/10/2007)

04/10/2007	<a href="#">136</a>	JUDGMENT in favor of Equal Employment Opportunity Commission, Richelle Dooley against Siouxland Oral Maxillofacial Surgery Associates, L.L.P. in the amount of \$15,341.00. Signed by Judge Lawrence L. Piersol on 4/10/07. (JMM) (Entered: 04/11/2007)
04/11/2007	<a href="#">137</a>	JUDGMENT in favor of Equal Employment Opportunity Commission, Angie Gacke against Siouxland Oral Maxillofacial Surgery Associates, L.L.P. in the amount of \$5,757.00. Signed by Judge Lawrence L. Piersol on 4/10/07. (JMM) (Entered: 04/11/2007)
04/13/2007		MAILING both final Judgments to John Pekas (JMM) (Entered: 04/13/2007)
05/09/2007	<a href="#">138</a>	MOTION for Attorney Fees and Costs by Angie Gacke. (SKM) (Entered: 05/09/2007)
05/09/2007	<a href="#">139</a>	MEMORANDUM in Support re <a href="#">138</a> MOTION for Attorney Fees and Costs filed by Angie Gacke. (SKM) (Entered: 05/09/2007)
05/09/2007	<a href="#">140</a>	AFFIDAVIT of John R. Pekas re <a href="#">138</a> MOTION for Attorney Fees and Costs. (Attachments: # <a href="#">1</a> Itemized Billing Statement)(SKM) (Entered: 05/09/2007)
05/09/2007	<a href="#">141</a>	CERTIFICATE OF SERVICE by Angie Gacke re <a href="#">140</a> Affidavit, <a href="#">138</a> MOTION for Attorney Fees, <a href="#">139</a> Memorandum in Support of Motion (SKM) (Entered: 05/09/2007)
05/09/2007	<a href="#">142</a>	MOTION for Attorney Fees and Costs by Richelle Dooley. (SKM) (Entered: 05/09/2007)
05/09/2007	<a href="#">143</a>	MEMORANDUM in Support re <a href="#">142</a> MOTION for Attorney Fees and Costs filed by Richelle Dooley. (SKM) (Entered: 05/09/2007)
05/09/2007	<a href="#">144</a>	AFFIDAVIT of John R. Pekas re <a href="#">142</a> MOTION for Attorney Fees and Costs. (Attachments: # <a href="#">1</a> Itemized Billing Statement)(SKM) (Entered: 05/09/2007)
05/09/2007	<a href="#">145</a>	CERTIFICATE OF SERVICE by Richelle Dooley re <a href="#">144</a> Affidavit, <a href="#">142</a> MOTION for Attorney Fees, <a href="#">143</a> Memorandum in Support of Motion (SKM) (Entered: 05/09/2007)
05/09/2007	<a href="#">146</a>	BILL OF COSTS by Richelle Dooley, Angie Gacke. (SKM) (Entered: 05/09/2007)
05/09/2007	<a href="#">147</a>	AFFIDAVIT of John R. Pekas in support of <a href="#">146</a> Bill of Costs. (SKM) (Entered: 05/09/2007)
05/10/2007	<a href="#">150</a>	BILL OF COSTS by Equal Employment Opportunity Commission. (Rogers, Kim) (Entered: 05/10/2007)
05/10/2007	<a href="#">151</a>	MOTION Equitable Relief re <a href="#">137</a> Judgment, <a href="#">136</a> Judgment by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order # <a href="#">2</a> Exhibit # <a href="#">3</a> Exhibit # <a href="#">4</a> Exhibit # <a href="#">5</a> Exhibit # <a href="#">6</a> Exhibit)(Rogers, Kim) (Entered: 05/10/2007)
05/23/2007	<a href="#">152</a>	OBJECTIONS by Defendant Siouxland Oral Maxillofacial Surgery Associates, L.L.P. re <a href="#">150</a> Bill of Costs, <a href="#">146</a> Bill of Costs. (Simons, Susan) (Entered: 05/23/2007)

05/23/2007	<a href="#">153</a>	AFFIDAVIT of Sharon McConnell re <a href="#">152</a> Objections to EEOC's and Intervenor's Bill of Costs. (Attachments: # <a href="#">1</a> Subpoena to Sharon McConnell)(Simons, Susan) (Entered: 05/23/2007)
05/23/2007	<a href="#">154</a>	AFFIDAVIT of Susan Brunick Simons re <a href="#">152</a> Objections to EEOC's and Intervenor's Bill of Costs. (Attachments: # <a href="#">1</a> Taxation of Costs June 1996# <a href="#">2</a> Admission of Service# <a href="#">3</a> March 26, 2007 Letter from John Pekas# <a href="#">4</a> Subpoenas to Gacke, Dooley and R. Akerson# <a href="#">5</a> Relevant portions of Defendant's Answers to EEOC's Discovery)(Simons, Susan) (Entered: 05/23/2007)
05/23/2007	<a href="#">155</a>	CERTIFICATE of Service by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 05/23/2007)
05/29/2007	<a href="#">156</a>	OBJECTIONS by Defendant Siouxland Oral Maxillofacial Surgery Associates, L.L.P. re <a href="#">142</a> MOTION for Attorney Fees, <a href="#">138</a> MOTION for Attorney Fees of Dooley and Gacke. (Attachments: # <a href="#">1</a> Time Comparison Chart# <a href="#">2</a> Relevant e-mails# <a href="#">3</a> Deposition cover pages# <a href="#">4</a> Contact with EEOC/Plaintiff Chart# <a href="#">5</a> Contact with Clients Chart)(Simons, Susan) (Entered: 05/29/2007)
05/29/2007	<a href="#">157</a>	AFFIDAVIT of Jill Connelly re <a href="#">156</a> Objections, to Attorney Fees. (Simons, Susan) (Entered: 05/29/2007)
05/29/2007	<a href="#">158</a>	AFFIDAVIT of Michael L. Luce re <a href="#">156</a> Objections, to Attorney Fees. (Attachments: # <a href="#">1</a> Relevant time records)(Simons, Susan) (Entered: 05/29/2007)
05/29/2007	<a href="#">159</a>	AFFIDAVIT of Susan Brunick Simons re <a href="#">156</a> Objections, to Attorney Fees. (Attachments: # <a href="#">1</a> Relevant time records# <a href="#">2</a> Discovery document# <a href="#">3</a> Relevant e-mails# <a href="#">4</a> Notices of Depositions# <a href="#">5</a> Relevant documents from Sioux Falls Human Relations Commission)(Simons, Susan) (Entered: 05/29/2007)
05/29/2007	<a href="#">160</a>	CERTIFICATE of Service by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 05/29/2007)
05/30/2007	<a href="#">161</a>	MEMORANDUM in Opposition re <a href="#">151</a> MOTION Equitable Relief re <a href="#">137</a> Judgment, <a href="#">136</a> Judgment filed by Siouxland Oral Maxillofacial Surgery Associates, L.L.P.. (Simons, Susan) (Entered: 05/30/2007)
06/07/2007	<a href="#">162</a>	NOTICE by Equal Employment Opportunity Commission of Appeal (Attachments: # <a href="#">1</a> Form A)(Weeks, Nancy) (Entered: 06/07/2007)
06/08/2007	<a href="#">163</a>	NOTICE to Counsel re. notice of appeal (SLL) (Entered: 06/08/2007)
06/08/2007		***Appeal Receipt of Notice of Appeal and supporting documents received by USCA on: Fri Jun 8 10:32:56 CDT 2007 (Lovro, Sharon) (Entered: 06/08/2007)

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