

CLOSED

U.S. District Court
District of South Dakota (Southern Division)
CIVIL DOCKET FOR CASE #: 4:97-cv-04160-JBJ

EEOC v. Taco Bell, Inc., et al
Assigned to: U.S. District Judge John B. Jones
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 07/31/1997
Jury Demand: None
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Mia E. Bitterman**
Equal Employment Opportunity
Commission
Denver District Office
303 E. 17th Ave.
Suite 510
Denver, CO 80203
(303)866-1378
Fax: 866-1375
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nelson G. Alston
Equal Employment Opportunity
Commission
Denver District Office
303 E. 17th Ave.
Suite 510
Denver, CO 80203
(303)866-1378
Fax: 866-1375
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Taco Bell, Inc.
doing business as
Taco Bell Express

represented by **Christopher J. Harristhal**
Larkin, Hoffman, Daly & Lindgren, Ltd.
1500 Wells Fargo Plaza
7900 Xerxes Ave. S.
Bloomington, MN 55431-1194
(952)835-3800
Fax: 896-3333
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Robert L. Mabee
 300 N. Dakota Ave.
 Suite 612
 Sioux Falls, SD 57104
 336-7770
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Double-D Inc.
TERMINATED: 08/18/1998

represented by **Scott D. Kading**
 Moore, Rasmussen, Kading & Kunstle
 PO Box 1477
 Sioux Falls, SD 57101
 336-1730
 Fax: 336-6599
TERMINATED: 08/18/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Interested Party

Sioux Falls, City of

represented by **R. Shawn Tornow**
 City Attorney's Office
 Sioux Falls
 224 W. 9th St.
 Sioux Falls, SD 57104-6407
 367-8880
 Fax: 367-7330
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/31/1997	<u>1</u>	COMPLAINT: no summons(es) issued (plaintiffs advise of proceeding by waiver of summons); jury demand (SKM) (Entered: 07/31/1997)
07/31/1997	2	CIVIL COVER SHEET (SKM) (Entered: 07/31/1997)
09/18/1997	<u>3</u>	NOTICE of Lawsuit and request for waiver of service of summons by plaintiff EEOC (DLS) (Entered: 09/18/1997)
09/18/1997	<u>4</u>	NOTICE of Lawsuit and request for waiver of service of summons by plaintiff EEOC (DLS) (Entered: 09/18/1997)
09/18/1997	<u>5</u>	WAIVER Of Service by defendant Double-D Inc. on 9/4/97 (DLS) (Entered: 09/18/1997)

09/22/1997	6	AMENDED COMPLAINT [1-1] by plaintiff EEOC; jury demand (FE) (Entered: 09/23/1997)
10/06/1997	7	ANSWER by defendant Taco Bell, Inc. to Amended Complaint [6-1] (SKM) (Entered: 10/06/1997)
10/06/1997	8	CERTIFICATE OF SERVICE by defendant Taco Bell, Inc. (SKM) (Entered: 10/06/1997)
10/06/1997	9	WAIVER Of Service by defendant Taco Bell, Inc. on 9/15/97 (SKM) (Entered: 10/06/1997)
10/06/1997	10	ANSWER by defendant Double-D Inc. to Amended Complaint [6-1]; jury demand (SKM) (Entered: 10/06/1997)
10/06/1997		PRO HAC VICE fee paid by Larkin, Hoffman for Christopher Harristhal (SKM) (Entered: 10/16/1997)
10/07/1997	11	CERTIFICATE OF SERVICE by defendant Taco Bell, Inc. (SKM) (Entered: 10/07/1997)
10/14/1997	12	MOTION for attorney Christopher J. Harristhal to appear pro hac vice by defendant Taco Bell, Inc. (SKM) (Entered: 10/16/1997)
10/14/1997	12	ORDER by Lawrence L. Piersol granting motion for attorney Christopher J. Harristhal to appear pro hac vice [12-1] (cc:all counsel) (SKM) (Entered: 10/16/1997)
11/24/1997	13	ORDER For Form 35 Report and Scheduling Information by Lawrence L. Piersol (cc: all counsel) (SLL) (Entered: 11/25/1997)
12/05/1997	14	RULE 26 Initial Disclosures by defendant Double-D Inc. (FE) (Entered: 12/08/1997)
12/05/1997	15	Form 35 Report Of Parties Planning Meeting re [13-1] (FE) (Entered: 12/08/1997)
12/05/1997	16	CERTIFICATE OF MAILING by defendant Double-D Inc. (FE) (Entered: 12/08/1997)
12/15/1997	17	RULE 26 Disclosures by defendant Taco Bell, Inc. (SLL) (Entered: 12/15/1997)
12/15/1997	18	ATTORNEY APPEARANCE of Mia E. Bitterman for plaintiff EEOC ; attorney Mia E. Bitterman added (SLL) (Entered: 12/15/1997)
12/16/1997	19	MINUTES RE: telephone conference re: scheduling order before the Hon. Lawrence L. Piersol, District Judge, Sioux Falls (JMM) (Entered: 12/16/1997)
12/17/1997	20	RULE 16 SCHEDULING ORDER by Lawrence L. Piersol; Discovery ddl set for 4/30/98; mtn filing ddl set for 5/15/98; motions hearing and pretrial conference set for 1:30 7/13/98; jury trial set for 9:30 8/11/98 (cc: all counsel) (SKM) (Entered: 12/17/1997)
12/24/1997	21	Supplement to Form 35 Report Of Parties Planning Meeting re [13-1] (SLL) (Entered: 12/24/1997)

02/05/1998	22	ORDER by Lawrence L. Piersol delaying depositions until noon on 2/5/98 (cc:all counsel) (JMM) (Entered: 02/06/1998)
03/04/1998	23	NOTICE by plaintiff EEOC of taking deposition of Mary Jane Skaff on 3/17/98 at 3:00 pm (SLL) (Entered: 03/04/1998)
03/04/1998	24	NOTICE by plaintiff EEOC of taking deposition of Mark Mueller on 3/20/98 at 9:00 am (SLL) (Entered: 03/04/1998)
03/04/1998	25	NOTICE by plaintiff EEOC of taking deposition of Lisa Goeman on 3/20/98 at 11:00 am (SLL) (Entered: 03/04/1998)
03/04/1998	26	NOTICE by plaintiff EEOC of taking deposition of Kelly Dwight Brady on 3/19/98 at 4:00 pm (SLL) (Entered: 03/04/1998)
03/09/1998	27	NOTICE by plaintiff EEOC of taking deposition of Laura Wolmutt on March 17, 1998, at 9:00 AM (FE) (Entered: 03/10/1998)
03/09/1998	28	NOTICE by plaintiff EEOC of taking deposition of Patrick Boll on March 17, 1998, at 10:30 AM (FE) (Entered: 03/10/1998)
03/16/1998	29	NOTICE by plaintiff EEOC of taking deposition of Sandra Higgins on 3/20/98 at 2:00 pm (FE) (Entered: 03/17/1998)
03/27/1998	30	SUPPLEMENTAL DISCLOSURE STATEMENT PURSUANT TO F.R.C.P. 26(A)(1) by defendant Double-D Inc. re discovery [14-1] (FE) (Entered: 03/30/1998)
03/27/1998	31	CERTIFICATE OF SERVICE by defendant Double-D Inc. (FE) (Entered: 03/30/1998)
04/20/1998	32	NOTICE by plaintiff EEOC of taking deposition of Bill (William) Traynor on 4/29/98 (SKM) (Entered: 04/20/1998)
04/20/1998	33	MOTION for leave to serve more than fifty interrogatories, thirty requests for admission and thirty requests for production of documents by plaintiff EEOC (SKM) (Entered: 04/20/1998)
04/27/1998	34	AFFIDAVIT of Nelson Alston in support of motion for leave to serve more than fifty interrogatories, thirty requests for admission and thirty requests for production of documents [33-1] (SKM) (Entered: 04/27/1998)
04/27/1998	35	AMENDED NOTICE by plaintiff EEOC of taking deposition of Bill (William) Traynor on 4/30/98 (SKM) (Entered: 04/27/1998)
04/27/1998	36	RESPONSE by defendant Taco Bell, Inc. to motion for leave to serve more than fifty interrogatories, thirty requests for admission and thirty requests for production of documents [33-1] (FE) (Entered: 05/05/1998)
05/01/1998	37	REPLY by plaintiff EEOC to response to motion for leave to serve more than fifty interrogatories, thirty requests for admission and thirty requests for production of documents [33-1]; reply to Defendant Taco Bell's assertion that 3rd set of discovery was not timely served and Plaintiff has exceeded limit of 10 depositions [36-1] (FE) (Entered: 05/05/1998)

05/01/1998	37	MOTION for 3 day extension of discovery period to allow defendants to respond to Plaintiff's 3rd set of discovery by plaintiff EEOC (FE) (Entered: 05/05/1998)
05/02/1998		SEE VOLUME II (FE) (Entered: 05/05/1998)
05/04/1998		VOLUME II (FE) (Entered: 05/05/1998)
05/04/1998	38	MOTION to quash Subpoena , and for hearing on motion to quash by Interested Party Sioux Falls, City of (FE) (Entered: 05/05/1998)
05/04/1998	39	MEMORANDUM/BRIEF by Interested Party Sioux Falls, City of in support of motion to quash Subpoena [38-1], of motion for hearing on motion to quash [38-2] (FE) (Entered: 05/05/1998)
05/04/1998	40	CERTIFICATE OF SERVICE by Interested Party Sioux Falls, City of (FE) (Entered: 05/05/1998)
05/04/1998	41	ORDER by Lawrence L. Piersol re: Stipulation for Protective Order and Protective Order, no basis has been established to show why file should be sealed, Court must be presented with factual basis and legal basis for consideration before file closed to public inspection (cc:all counsel) (FE) (Entered: 05/05/1998)
05/04/1998	42	JOINDER by defendant Double-D Inc. joining in Response to motion [DOC 36] (FE) (Entered: 05/05/1998)
05/05/1998	43	DEPOSITION QUESTIONS for William Traynor (JMM) (Entered: 05/06/1998)
05/05/1998	44	CERTIFICATE OF SERVICE by defendant Double-D Inc. (JMM) (Entered: 05/06/1998)
05/15/1998	45	MOTION for summary judgment by defendant Taco Bell, Inc. (SLL) (Entered: 05/15/1998)
05/15/1998	46	MEMORANDUM by defendant Taco Bell, Inc. in support of motion for summary judgment [45-1] (SLL) (Entered: 05/15/1998)
05/15/1998	47	STATEMENT of Undisputed Material Facts by defendant Taco Bell, Inc. in support of motion for summary judgment [45-1] (SLL) Modified on 05/15/1998 (Entered: 05/15/1998)
05/15/1998	48	AFFIDAVIT of service via Federal Express (SLL) (Entered: 05/15/1998)
05/15/1998	49	MOTION for summary judgment by defendant Double-D Inc. (SKM) (Entered: 05/15/1998)
05/15/1998	50	STATEMENT of Undisputed Material Facts by defendant Double-D Inc. (SKM) (Entered: 05/15/1998)
05/15/1998	51	MEMORANDUM of Law by defendant Double-D Inc. in support of motion for summary judgment [49-1] (SKM) (Entered: 05/15/1998)
05/15/1998	52	CERTIFICATE OF SERVICE by defendant Double-D Inc. (SKM) (Entered: 05/15/1998)
05/18/1998	53	ORDER by Mag Judge Mark F. Marshall; telephone hearing set for 5/28/98 2:00 before Mag. Mark F. Marshall (cc:all counsel) (SKM) (Entered: 05/19/1998)

05/28/1998	54	MINUTES RE: motion hearing before the Hon. Mark F. Marshall, Magistrate Judge, Sioux Falls, SD (DLS) (Entered: 05/29/1998)
05/29/1998	55	AMENDED RULE 16 SCHEDULING ORDER by Lawrence L. Piersol ; Motion hearing and Pretrial conference 7/6/98 at 2:30; Jury trial 8/11/98 at 9:30 (cc:all counsel) (SLL) (Entered: 05/29/1998)
06/01/1998	56	ORDER by Mag Judge Mark F. Marshall granting motion for leave to serve more than fifty interrogatories, thirty requests for admission and thirty requests for production of documents [33-1] (cc:all counsel) (DLS) (Entered: 06/03/1998)
06/05/1998	57	Memorandum of Law in RESPONSE by defendant Double-D Inc. to motion for summary judgment as to employer's status [45-1] (FE) (Entered: 06/05/1998)
06/05/1998	58	MOTION to strike Defendant Taco Bell's Motion for Summary Judgment and Defendant Double-D's Motion for Summary Judgment by plaintiff EEOC (FE) (Entered: 06/05/1998)
06/05/1998	59	MOTION for leave to exceed 25 page limit for briefs in opposition to Defendants' Motions for Summary Judgment by plaintiff EEOC (FE) (Entered: 06/05/1998)
06/05/1998	60	STATEMENT OF DISPUTED MATERIAL FACTS by plaintiff EEOC in support of [58-1] (FE) (Entered: 06/05/1998)
06/05/1998	61	RESPONSE by plaintiff EEOC to Defendant Taco Bell's Statement of Undisputed Material Facts [47-1] (FE) (Entered: 06/05/1998)
06/05/1998	62	RESPONSE by plaintiff EEOC to Defendant Double-D's Statement of Undisputed Material Facts [50-1] (FE) (Entered: 06/05/1998)
06/05/1998	63	MEMORANDUM/BRIEF by plaintiff EEOC in opposition to Double-D's motion for summary judgment [49-1], and in opposition to Taco Bell's motion for summary judgment [45-1] (FE) (Entered: 06/05/1998)
06/05/1998	64	AFFIDAVIT of Nelson G. Alston re in Support of Plaintiff's Brief in Opposition to Defendants' Motion for Summary Judgment [63-1] with attached exhibits (IN EXPANDO) (FE) (Entered: 06/05/1998)
06/05/1998	65	ORDER by Lawrence L. Piersol granting motion for leave to exceed 25 page limit for briefs in opposition to Defendants' Motions for Summary Judgment [59-1] (cc:all counsel) (DLS) (Entered: 06/08/1998)
06/08/1998	66	MEMORANDUM by defendant Taco Bell, Inc. in partial opposition to motion for summary judgment [49-1] (SLL) (Entered: 06/08/1998)
06/10/1998	67	AFFIDAVIT of Service Via Federal Express Mail (SLL) (Entered: 06/10/1998)
06/10/1998		SEE VOLUME III (SKM) (Entered: 06/16/1998)
06/12/1998		VOLUME III (SKM) (Entered: 06/16/1998)
06/15/1998	68	REPLY MEMORANDUM by defendant Taco Bell, Inc. in support of motion for summary judgment [45-1] (SKM) (Entered: 06/16/1998)
06/15/1998	69	REPLY Brief by defendant Double-D Inc. re [63-1] (SKM) (Entered: 06/16/1998)

06/15/1998	70	RESPONSE by defendant Double-D Inc. to motion to strike Defendant Taco Bell's Motion for Summary Judgment and Defendant Double-D's Motion for Summary Judgment [58-1] (SKM) (Entered: 06/16/1998)
06/15/1998	71	AFFIDAVIT of Scott D. Kading in support of defendant Double-D brief in support of motion for summary judgment [51-1] (SKM) (Entered: 06/16/1998)
06/15/1998	72	CERTIFICATE OF SERVICE (Mailing) by defendant Double-D Inc. (SKM) (Entered: 06/16/1998)
07/02/1998	73	SUPPLEMENTAL Memorandum of Law in Support by defendant Double-D Inc. re motion for summary judgment [49-1] (SLL) (Entered: 07/06/1998)
07/02/1998	74	SUPPLEMENTAL Memorandum of Law in Support (Oral Argument Requested) by defendant Taco Bell, Inc. re motion for summary judgment [45-1] (SLL) (Entered: 07/06/1998)
07/02/1998	75	CERTIFICATE OF SERVICE by defendant Taco Bell, Inc. (SLL) (Entered: 07/06/1998)
07/02/1998	76	CERTIFICATE OF SERVICE by plaintiff EEOC (SLL) (Entered: 07/06/1998)
07/06/1998	77	MINUTES RE: motion hearing and pretrial conference before the Hon. Lawrence L. Piersol, District Judge, Sioux Falls, SD (DLS) (Entered: 07/07/1998)
07/07/1998	78	ORDER by Lawrence L. Piersol denying motion to strike Defendant Taco Bell's Motion for Summary Judgment and Defendant Double-D's Motion for Summary Judgment [58-1] denying motion for summary judgment [45-1] denying motion for summary judgment [49-1]; Court's Amended Rule 16 Scheduling Order filed 5/29/98 remains in effect (cc:all counsel) (SLL) (Entered: 07/08/1998)
07/24/1998	79	MOTION to sequester all witnesses by defendant Double-D Inc. (FE) (Entered: 07/24/1998)
07/24/1998	80	MOTION in limine re previous sexual harassment complaints/allegations filed by current/past employees other than the charging parties , in limine re punitive damages by defendant Double-D Inc. (FE) (Entered: 07/24/1998)
07/24/1998	81	MEMORANDUM by defendant Double-D Inc. in support of motion in limine re previous sexual harassment complaints/allegations filed by current/past employees other than the charging parties [80-1], of motion in limine re punitive damages [80-2] (FE) (Entered: 07/24/1998)
07/24/1998	82	CERTIFICATE OF SERVICE by defendant Double-D Inc. (FE) (Entered: 07/24/1998)
07/24/1998	83	EXHIBIT LIST by defendant Double-D Inc. (FE) (Entered: 07/24/1998)
07/24/1998	84	WITNESS LIST submitted by defendant Double-D Inc. (FE) (Entered: 07/24/1998)
07/24/1998	85	PROPOSED JURY INSTRUCTIONS submitted by plaintiff EEOC (FE) (Entered: 07/28/1998)
07/24/1998	86	TRIAL EXHIBIT LIST by plaintiff EEOC (FE) (Entered: 07/28/1998)
07/24/1998	87	TRIAL WITNESS LIST submitted by plaintiff EEOC (FE) (Entered: 07/28/1998)

07/24/1998	88	PROPOSED VOIR DIRE Questions submitted by plaintiff EEOC (FE) (Entered: 07/28/1998)
07/24/1998	89	REQUEST FOR JUDICIAL NOTICE that Cinnabon is whole separate entity from Defendants by plaintiff EEOC for (FE) (Entered: 07/28/1998)
07/24/1998	90	MOTION in limine to exclude testimony of Ray Schmidt and other prior employment evidence as untimely, irrelevant, improper character evidence and unfairly prejudicial by plaintiff EEOC (FE) (Entered: 07/28/1998)
07/24/1998	90	MEMORANDUM/BRIEF by plaintiff EEOC in support of motion in limine to exclude testimony of Ray Schmidt and other prior employment evidence as untimely, irrelevant, improper character evidence and unfairly prejudicial [90-1] (FE) (Entered: 07/28/1998)
07/24/1998	91	MOTION in limine to exclude use of any Cinnabon Corporate Policies by plaintiff EEOC (FE) (Entered: 07/28/1998)
07/24/1998	91	MEMORANDUM/BRIEF by plaintiff EEOC in support of motion in limine to exclude use of any Cinnabon Corporate Policies [91-1] (FE) (Entered: 07/28/1998)
07/24/1998	92	MOTION in limine to exclude introduction into evidence of State Agency Determination of "No Cause" by plaintiff EEOC (FE) (Entered: 07/28/1998)
07/24/1998	92	MEMORANDUM/BRIEF by plaintiff EEOC in support of motion in limine to exclude introduction into evidence of State Agency Determination of "No Cause" [92-1] (FE) (Entered: 07/28/1998)
07/24/1998	93	MOTION in limine to exclude use of inadmissible character evidence by plaintiff EEOC (FE) (Entered: 07/28/1998)
07/24/1998	93	MEMORANDUM by plaintiff EEOC in support of motion in limine to exclude use of inadmissible character evidence [93-1] (FE) (Entered: 07/28/1998)
07/24/1998	94	MOTION for leave to use Depositions of Lisa Goeman and William Traynor at trial by plaintiff EEOC (FE) (Entered: 07/28/1998)
07/24/1998	94	MEMORANDUM OF LAW by plaintiff EEOC in support of motion for leave to use Depositions of Lisa Goeman and William Traynor at trial [94-1] (FE) (Entered: 07/28/1998)
07/27/1998		SEE VOLUME IV (FE) (Entered: 07/28/1998)
07/28/1998		VOLUME IV (FE) (Entered: 07/28/1998)
07/28/1998	95	WITNESS LIST submitted by defendant Taco Bell, Inc. (FE) (Entered: 07/28/1998)
07/28/1998	96	DESIGNATION of Deposition Testimony by defendant Taco Bell, Inc. (FE) (Entered: 07/28/1998)
07/28/1998	97	EXHIBIT LIST by defendant Taco Bell, Inc. (FE) (Entered: 07/28/1998)
07/28/1998	98	PROPOSED SPECIAL JURY VERDICT FORM submitted by defendant Taco Bell, Inc. (FE) (Entered: 07/28/1998)

07/28/1998	99	PROPOSED JURY INSTRUCTIONS submitted by defendant Taco Bell, Inc. (FE) (Entered: 07/28/1998)
07/28/1998	100	PROPOSED VOIR DIRE submitted by defendant Taco Bell, Inc. (FE) (Entered: 07/28/1998)
07/28/1998	101	MOTIONS in limine re prior allegations/complaints of sexual harassment made by other than charging parties , in limine re handwritten notes of Brenda Handegard concerning alleged harassment , in limine re any alleged mental anguish suffered by Brenda Handegard , in limine re wages allegedly lost by either of charging parties , in limine re financial condition of Defendants unless Court determines Plaintiff is entitled to present punitive damage claim to jury by defendant Taco Bell, Inc. (FE) (Entered: 07/28/1998)
07/28/1998	102	MEMORANDUM OF LAW by defendant Taco Bell, Inc. in support of motion in limine re prior allegations/complaints of sexual harassment made by other than charging parties [101-1], of motion in limine re handwritten notes of Brenda Handegard concerning alleged harassment [101-2], of motion in limine re any alleged mental anguish suffered by Brenda Handegard [101-3], of motion in limine re wages allegedly lost by either of charging parties [101-4], of motion in limine re financial condition of Defendants unless Court determines Plaintiff is entitled to present punitive damage claim to jury [101-5] (FE) (Entered: 07/28/1998)
07/28/1998	103	AFFIDAVIT of Christopher J. Harristhal (FE) (Entered: 07/28/1998)
07/28/1998	104	AFFIDAVIT of of Service VIA Federal Express (FE) (Entered: 07/28/1998)
07/28/1998	105	AFFIDAVIT of of Service Via Facsimile and Federal Express (FE) (Entered: 07/28/1998)
07/28/1998	106	PROPOSED JURY INSTRUCTIONS submitted by defendant Double-D Inc. (FE) (Entered: 07/28/1998)
08/03/1998	107	MINUTES re: dismissal of Double-D as named party defendant before the Hon. Lawrence L. Piersol (SKM) (Entered: 08/04/1998)
08/03/1998	108	DESIGNATION of deposition testimony by plaintiff EEOC (DLS) (Entered: 08/05/1998)
08/04/1998	109	OBJECTIONS by defendant Taco Bell, Inc. to plaintiff's exhibits [86-1] (DLS) (Entered: 08/05/1998)
08/05/1998	110	OBJECTIONS by defendant Taco Bell, Inc. to plaintiff's designation of deposition testimony [108-1] (DLS) (Entered: 08/05/1998)
08/05/1998	111	OBJECTIONS by plaintiff EEOC to Taco Bell's exhibit list [97-1], to Taco Bells' witness list [95-1], to Double-D's witness list [84-1], to Double-D's exhibit list [83-1] (DLS) (Entered: 08/05/1998)
08/05/1998	112	MOTION in limine to exclude testimony of Carol Garry with regard to the Sioux Falls Human Relations Commission by plaintiff EEOC (DLS) (Entered: 08/05/1998)
08/05/1998	113	MINUTES RE: Conference Call Hearing before the Hon. Lawrence L. Piersol, US District Court, Sioux Falls, SD. Total in Court Time 20 minutes. (FE)

		(Entered: 08/10/1998)
08/06/1998	114	MEMORANDUM of Law by defendant Taco Bell, Inc. in opposition to motion in limine to exclude testimony of Carol Garry with regard to the Sioux Falls Human Relations Commission [112-1], motion in limine to exclude use of inadmissible character evidence [93-1], motion in limine to exclude introduction into evidence of State Agency Determination of "No Cause" [92-1], motion in limine to exclude use of any Cinnabon Corporate Policies [91-1], motion in limine to exclude testimony of Ray Schmidt and other prior employment evidence as untimely, irrelevant, improper character evidence and unfairly prejudicial [90-1] (SKM) Modified on 08/10/1998 (Entered: 08/06/1998)
08/06/1998	115	SUBPOENA for Scott Hudson returned (SKM) Modified on 08/10/1998 (Entered: 08/06/1998)
08/06/1998	116	SUBPOENA for Patrick Boll returned (SKM) Modified on 08/10/1998 (Entered: 08/06/1998)
08/06/1998	117	SUBPOENA for Mark Mueller returned (SKM) Modified on 08/10/1998 (Entered: 08/06/1998)
08/06/1998	118	SUBPOENA for Roxie Demers returned (SKM) Modified on 08/10/1998 (Entered: 08/06/1998)
08/06/1998	119	ORDER by Lawrence L. Piersol ; jury trial set for 9:30 8/20/98 , Case reassigned to John B. Jones (cc:all counsel) (SKM) Modified on 08/10/1998 (Entered: 08/06/1998)
08/07/1998	120	AMENDED EXHIBIT LIST by plaintiff EEOC (DLS) Modified on 08/10/1998 (Entered: 08/10/1998)
08/07/1998	121	RESPONSE by plaintiff EEOC to motion in limine re prior allegations/complaints of sexual harassment made by other than charging parties [101-1] (DLS) Modified on 08/10/1998 (Entered: 08/10/1998)
08/07/1998	122	MEMORANDUM by plaintiff EEOC in opposition to motion in limine re handwritten notes of Brenda Handegard concerning alleged harassment [101-2] (DLS) Modified on 08/10/1998 (Entered: 08/10/1998)
08/07/1998	123	MEMORANDUM by plaintiff EEOC in opposition to motion in limine re any alleged mental anguish suffered by Brenda Handegard [101-3] (DLS) Modified on 08/10/1998 (Entered: 08/10/1998)
08/07/1998	124	MOTION in limine to exclude testimony of Carol Garry regarding Sioux Falls Human Relation Commission determination of no probable cause and supporting brief by plaintiff EEOC (DLS) Modified on 08/10/1998 (Entered: 08/10/1998)
08/10/1998	125	AMENDED TRIAL EXHIBIT LIST by plaintiff EEOC (FE) (Entered: 08/10/1998)
08/10/1998	126	AMENDED PROPOSES JURY INSTRUCTIONS submitted by plaintiff EEOC (FE) (Entered: 08/10/1998)
08/11/1998	127	ORDER by John B. Jones setting hearing on motion in limine to exclude testimony of Carol Garry regarding Sioux Falls Human Relation Commission

		determination of no probable cause [124-1] 3:00 8/19/98, setting hearing on motion in limine to exclude testimony of Carol Garry with regard to the Sioux Falls Human Relations Commission [112-1] 3:00 8/19/98, setting hearing on motion in limine re prior allegations/complaints of sexual harassment made by other than charging parties [101-1] 3:00 8/19/98, setting hearing on motion in limine re handwritten notes of Brenda Handegard concerning alleged harassment [101-2] 3:00 8/19/98, setting hearing on motion in limine re any alleged mental anguish suffered by Brenda Handegard [101-3] 3:00 8/19/98, setting hearing on motion in limine re wages allegedly lost by either of charging parties [101-4] 3:00 8/19/89, setting hearing on motion in limine re financial condition of Defendants unless Court determines Plaintiff is entitled to present punitive damage claim to jury [101-5] 3:00 8/19/98, setting hearing on motion in limine re previous sexual harassment complaints/allegations filed by current/past employees other than the charging parties [80-1] 3:00 8/19/98, setting hearing on motion in limine re punitive damages [80-2] 3:00 8/19/98, setting hearing on motion in limine to exclude use of inadmissible character evidence [93-1] 3:00 8/19/98, setting hearing on motion in limine to exclude introduction into evidence of State Agency Determination of "No Cause" [92-1] 3:00 8/19/98, setting hearing on motion in limine to exclude use of any Cinnabon Corporate Policies [91-1] 3:00 8/19/98, setting hearing on motion in limine to exclude testimony of Ray Schmidt and other prior employment evidence as untimely, irrelevant, improper character evidence and unfairly prejudicial [90-1] 3:00 8/19/98 (cc:all counsel) (LMZ) Modified on 09/01/1998 (Entered: 08/11/1998)
08/14/1998	128	FIRST AMENDED OBJECTIONS by defendant Taco Bell, Inc. to Plaintiff's Exhibits [125-1] (SLL) (Entered: 08/14/1998)
08/18/1998	129	STIPULATED MOTION for Dismissal with Prejudice by parties; dismissing defendant Double-D, Inc. as party (SKM) (Entered: 08/19/1998)
08/18/1998	130	ORDER by John B. Jones granting stipulation for dismissal of party [129-1] dismissing party Double-D Inc. (cc:all counsel) (SKM) (Entered: 08/19/1998)
08/19/1998	131	MINUTES RE: Motions in Limine and Motions Hearing before the Hon. John B. Jones, Sr. District Judge, Sioux Falls, SD. Total In Court Time 1 hour 35 minutes (FE) (Entered: 08/28/1998)
08/20/1998	132	JURY LIST (FE) (Entered: 08/28/1998)
08/21/1998	133	SUPPLEMENTAL STATEMENT OF FACTS by plaintiff EEOC re response [61-1] (FE) (Entered: 08/28/1998)
08/21/1998	134	NOTICE OF ENTRY OF ORDER OF DISMISSAL WITH PREJUDICE AS TO DEFENDANT DOUBLE-D, INC. by defendant Double-D Inc. (FE) (Entered: 08/28/1998)
08/26/1998	135	PROPOSED ADDENDUM JURY INSTRUCTIONS for Jury Instructions #7, #16, #19 submitted by defendant Taco Bell, Inc. (FE) (Entered: 08/28/1998)
08/27/1998	136	JURY TRIAL EXHIBIT LIST by defendant Taco Bell, Inc. (FE) (Entered: 08/28/1998)
08/27/1998	137	JURY TRIAL EXHIBIT LIST by plaintiff EEOC (FE) (Entered: 08/28/1998)

08/27/1998	138	JURY INSTRUCTIONS read to jury and submitted to jury by Court for use in deliberations (FE) (Entered: 08/28/1998)
08/27/1998	139	JURY QUESTION (Number 1) (FE) (Entered: 08/28/1998)
08/27/1998	140	SUPPLEMENTAL JURY INSTRUCTION No. 1 submitted in reply to Jury Question No. 1 (DOC 139) (FE) (Entered: 08/28/1998)
08/27/1998	141	SPECIAL VERDICT FORM FOR KARLA ZICK, verdict for defendant Taco Bell, Inc. against plaintiff EEOC (FE) Modified on 08/28/1998 (Entered: 08/28/1998)
08/27/1998	142	SPECIAL VERDICT FORM FOR BRENDA HANDEGARD, verdict for defendant Taco Bell, Inc. against plaintiff EEOC, no damages awarded (FE) (Entered: 08/28/1998)
08/27/1998	143	MINUTES RE: Jury Trial Proceedings before the Hon. John B. Jones, Sr. District Judge, Sioux Falls, SD. Total in Court Time 5 Days (FE) (Entered: 08/28/1998)
09/08/1998	144	JUDGMENT ON JURY VERDICE in favor of Taco Bell, Inc. and against EEOC by John B. Jones; dismissing the complaint [1-1] dismissing case with prejudice (cc: all counsel) (SLL) (Entered: 09/08/1998)
09/17/1998	145	ACCEPTANCE/ACKNOWLEDGEMENT OF SERVICE of subpoenas by defendant Double-D Inc. on 8/3/98 (DLS) (Entered: 09/18/1998)
09/17/1998		SEE VOLUME V (FE) (Entered: 09/22/1998)
09/18/1998		VOLUME V (FE) (Entered: 09/22/1998)
09/21/1998	146	MOTION and Supporting Brief for judgment notwithstanding the Verdict , or/alternatively for new trial by plaintiff EEOC (FE) (Entered: 09/22/1998)
09/21/1998	147	AFFIDAVIT of Mia E. Bitterman re [146-1], re [146-2] (FE) (Entered: 09/22/1998)
10/09/1998	148	MOTION to amend answer by defendant Taco Bell, Inc. (SKM) (Entered: 10/13/1998)
10/09/1998	149	MEMORANDUM by defendant Taco Bell, Inc. in support of motion to amend answer [148-1] (SKM) (Entered: 10/13/1998)
10/09/1998	150	MEMORANDUM of Law by defendant Taco Bell, Inc. in opposition to motion for judgment notwithstanding the Verdict [146-1], motion for new trial [146-2] (SKM) (Entered: 10/13/1998)
10/09/1998	151	AFFIDAVIT of Christopher J. Harristhal (SKM) (Entered: 10/13/1998)
10/09/1998	152	AFFIDAVIT of Service via facsimile and Federal Express of Sherri Marsh (SKM) (Entered: 10/13/1998)
10/26/1998	153	MOTION to vacate order quashing subpoena duces tecum by defendant Taco Bell, Inc. (SKM) (Entered: 10/28/1998)
12/17/1998	154	ORDER by John B. Jones granting motion to amend answer [148-1], denying motion to vacate order quashing subpoena duces tecum [153-1], denying motion for judgment notwithstanding the Verdict [146-1], denying motion for new trial

		[146-2] (cc:all counsel) (LMZ) (Entered: 12/17/1998)
03/25/1999	155	BILL OF COSTS submitted by defendant Taco Bell, Inc. re Judgment on Jury Verdict [144-2] (FE) (Entered: 03/26/1999)
03/25/1999	156	AFFIDAVIT of Christopher J. Harristhal re Bill of Costs [155-1] (FE) (Entered: 03/26/1999)
04/12/1999	157	MEMORANDUM/BRIEF (with attached Exhibits G, H) by plaintiff EEOC in opposition to defendants Bill of Costs [155-1] (SLL) (Entered: 04/12/1999)
04/12/1999	157	COMBINED MOTION and brief in support (with attached Exhibits G,H) for granting costs to both parties by plaintiff EEOC (SLL) (Entered: 04/12/1999)
04/12/1999	158	BILL OF COSTS submitted by plaintiff EEOC re [144-2] (SLL) (Entered: 04/12/1999)
04/12/1999	159	AFFIDAVIT (with Exhibits A-F) of Nelson G. Alston in support of plaintiff's bill of costs [158-1] (SLL) (Entered: 04/12/1999)
04/21/1999	160	BRIEF/MEMORANDUM by plaintiff EEOC in support of bill of costs [155-1] (SLL) (Entered: 04/22/1999)
04/21/1999	161	CERTIFICATE OF SERVICE by defendant Taco Bell, Inc. (SLL) (Entered: 04/22/1999)
05/07/1999	162	ORDER by John B. Jones denying bill of costs [155-1] denying motion for granting costs to both parties [157-1]; each party to bear its own costs (cc:all counsel) (JMM) (Entered: 05/07/1999)
03/07/2000	163	LETTER re: defendant's exhibits - exhibits returned to counsel - receipt never returned (JMM) (Entered: 03/07/2000)
03/07/2000	164	RECEIPT for plaintiff's exhibits (JMM) (Entered: 03/07/2000)

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