

CLOSED

**U.S. District Court [LIVE]
Western District of Texas (El Paso)
CIVIL DOCKET FOR CASE #: 3:02-cv-00445-DB**

Equal Employment v. Union Pacific, et al
Assigned to: Judge David Briones
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/19/2002
Date Terminated: 02/02/2004
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Enrique Chavez, Jr.**
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TERMINATED: 03/28/2003
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V.

Defendant

Union Pacific Railroad Company

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Intervenor Defendant

**Equal Employment Opportunity
Commission**

represented by **Enrique Chavez, Jr.**
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ATTORNEY TO BE NOTICED

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Leticia Dominguez
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TERMINATED: 03/28/2003
LEAD ATTORNEY

Robert B. Harwin
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Intervenor

DeMarco Howard

represented by **Francisco X. Dominguez**
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Date Filed	#	Docket Text
09/19/2002		Case assigned to Judge David Briones (jm) (Entered: 09/20/2002)
09/19/2002	1	Complaint filed. (Pages: 4) (jm) (Entered: 09/20/2002)
10/08/2002	2	Waiver of Service by Union Pacific ; Notice and Request Mailed on 10/3/02 ; Answer due on 12/2/02 for Union Pacific (mt) (Entered: 10/08/2002)
11/18/2002	3	Answer by Union Pacific (mt) (Entered: 11/18/2002)
11/20/2002	4	Order to comply with FRCP 26 and local court rule CV-16 (mt) (Entered: 11/20/2002)
01/10/2003	5	Notice of filing joint report of the meeting & joint discovery/case management plan under Rule 26(f) of the FRCP. by Equal Employment (mt) (Entered: 01/10/2003)
01/14/2003	6	Scheduling order setting Joining of parties, amending of pleadings on 4/1/03 Deadline for filing of all motions 6/20/03 Discovery cutoff 6/20/03 ; Alternate Dispute Resolution Report due by 2/10/03 ; Jury Selection set for 9:00 9/8/03 ; Jury trial set for 9:00 9/8/03 signed by Judge David Briones (mt) (Entered: 01/15/2003)
01/14/2003	7	Letter/Correspondence regarding: letter from the Court regarding courtroom protocol (mt) (Entered: 01/15/2003)
02/07/2003	8	Notice of filing disclosure of interested parties by Equal Employment (mt) (Entered: 02/07/2003)
02/10/2003	9	Alternate Dispute Resolution Report filed by Equal Employment, Union Pacific, Party(s) agree to Alternate Dispute Resolution (mt) (Entered: 02/10/2003)
02/12/2003	10	ORDER case referred to Alternate Dispute Resolution Mediation completed by: 4/18/03 Neutral Selection by: 4/18/03 signed by Judge David Briones. If deft. does not accept plaintiff's pending settlement offer, not later than 4/4/03, the parties participate in mediation with: Enrique Pena, Texas Arbitration Mediation Services, Inc., 1444 Montana Ave., Suite 205, El Paso, Tx. 79902, 915-533-8267. (mt) (Entered: 02/12/2003)
03/11/2003	11	Motion by Demarco W. Howard to intervene (mt) Modified on 03/12/2003 (Entered: 03/12/2003)

03/27/2003	12	Motion by Equal Employment to substitute attorney Enrique Chavez, Jr. for Francisco X. Dominguez (mm1) (Entered: 03/28/2003)
03/28/2003	13	Order granting motion to substitute attorney Enrique Chavez, Jr. for Francisco X. Dominguez [12-1] ; terminated; Enrique Chavez Jr. added signed by Judge David Briones (mm1) (Entered: 03/28/2003)
03/28/2003	14	Order granting the appearance of Mr. Enrique Chavez, Jr. signed by Judge David Briones (mm1) (Entered: 03/28/2003)
03/28/2003	15	Notice of attorney appearance for Equal Employment by Enrique Chavez (mm1) (Entered: 03/28/2003)
04/01/2003	16	Designation of expert witness filed by Equal Employment (em) (Entered: 04/01/2003)
04/01/2003	17	Exhibit and witness list by Demarco Howard/ Equal Employment (em) (Entered: 04/01/2003)
04/07/2003	18	Order granting motion for DeMarco Howard to intervene [11-1] signed by Judge David Briones (mt) (Entered: 04/08/2003)
04/07/2003	19	Intervenor's complaint by DeMarco Howard against Equal Employment) (mt) (Entered: 04/08/2003)
04/09/2003	20	Answer by Union Pacific to intervenor complaint [19-1] (mt) (Entered: 04/09/2003)
04/18/2003	21	Written status reporting the outcome of mediation by Equal Employment, Union Pacific, DeMarco Howard, Equal Employment (mt) (Entered: 04/18/2003)
05/23/2003	22	Proposed / Witness List by Union Pacific (mm1) (Entered: 05/27/2003)
06/11/2003	23	Joint motion by Equal Employment, Union Pacific to extend scheduling order so as to enlarge the dispositive motion deadline by one month (mt) (Entered: 06/11/2003)
06/16/2003	24	Order granting joint motion to extend scheduling order so as to enlarge the dispositive motion deadline by one month [23-1] signed by Judge David Briones (mm1) (Entered: 06/17/2003)
06/16/2003	25	Motion by Equal Employment to compel discovery (mt) (Entered: 06/17/2003)
07/16/2003	26	Joint motion by Equal Employment, Union Pacific to extend scheduling order deadlines (mt) (Entered: 07/17/2003)
07/18/2003	27	Order granting joint motion to extend scheduling order deadlines [26-1] signed by Judge David Briones (mm1) (Entered: 07/21/2003)
07/21/2003	28	Motion by Union Pacific for summary judgment (em) (Entered: 07/21/2003)
07/21/2003	29	Notice of filing by Union Pacific of Appendix to Defendant's Motion for Summary Judgment. (em) (Entered: 07/21/2003)
07/24/2003	30	Motion by Equal Employment to extend time to respond to defts. summary judgment motion (mt) (Entered: 07/25/2003)

08/01/2003	31	Response by Equal Employment in opposition to motion for summary judgment [28-1] (mt) (Entered: 08/01/2003)
08/01/2003	32	Appendix for in opposition response [31-1] by Equal Employment (mt) (Entered: 08/01/2003)
08/01/2003	33	Response by Equal Employment in opposition to motion for summary judgment [28-1] (mt) (Entered: 08/01/2003)
08/04/2003	34	Order granting motion to extend time to respond to defts. summary judgment motion by 8/31/03 [30-1] signed by Judge David Briones (jm) (Entered: 08/04/2003)
08/05/2003	35	Supplemental motion by Union Pacific : supplementing motion for summary judgment [28-1] (mt) (Entered: 08/06/2003)
08/15/2003	36	Motion by Union Pacific to extend reply brief deadline (mt) (Entered: 08/16/2003)
08/19/2003	37	Order granting motion to extend reply brief deadline [36-1] signed by Judge David Briones time is extended to 9/12/03 (fe) (Entered: 08/19/2003)
08/21/2003	38	Motion by Equal Employment to with draw its motion to compel (fe) (Entered: 08/21/2003)
08/25/2003	39	Order granting motion to withdraw its motion to compel [38-1] signed by Judge David Briones (mt) (Entered: 08/26/2003)
08/25/2003		Mooted motions motion to compel discovery [25-1] (mt) (Entered: 08/26/2003)
09/12/2003	40	Deft. Union Pacific Railroad Company's Reply brief in support of its motion for summary judgment (mt) (Entered: 09/12/2003)
10/02/2003	41	Order granting in part, denying in part supplemental motion supplementing motion for summary judgment [35-1], granting in part, denying in part motion for summary judgment [28-1] signed by Judge David Briones (mt) (Entered: 10/02/2003)
10/03/2003	42	Motion by Union Pacific in limine (mt) (Entered: 10/05/2003)
10/03/2003	43	Proposed / Witness List by Union Pacific (mt) (Entered: 10/05/2003)
10/03/2003	44	Notice of filing proposed jury charge by Union Pacific (mt) (Entered: 10/05/2003)
10/03/2003	45	Notice of filing porposed voir dire questions by Union Pacific (mt) (Entered: 10/05/2003)
10/03/2003	46	Exhibit list by Union Pacific (mt) (Entered: 10/05/2003)
10/03/2003	47	Notice of filing required pretrial filings, proposes voir dire questions and statement to be read to the jury, by Union Pacific (mt) (Entered: 10/05/2003)
10/03/2003	48	Notice of filing proposed verdict form by Equal Employment, Equal Employment (mt) (Entered: 10/05/2003)
10/03/2003	49	Notice of filing exhibit identification by Equal Employment, Equal Employment (mt) (Entered: 10/05/2003)

10/03/2003	50	Notice of filing statement of claims by Equal Employment, Equal Employment (mt) (Entered: 10/05/2003)
10/03/2003	51	Notice of filing proposed stipulated facts by Equal Employment, Equal Employment (mt) (Entered: 10/05/2003)
10/03/2003	52	Notice of filing designation of trial witnesses by Equal Employment, Equal Employment (mt) (Entered: 10/05/2003)
10/03/2003	53	Proposed Jury instructions by Equal Employment, Equal Employment (mt) (Entered: 10/05/2003)
10/03/2003	54	Notice of filing witnesses whose testimony may present by means of a deposition by Equal Employment, Equal Employment (mt) (Entered: 10/05/2003)
10/03/2003	55	Notice of filing proposed voir dire questions by Equal Employment, Equal Employment (mt) (Entered: 10/05/2003)
10/03/2003	56	Motion by Equal Employment, Equal Employment in limine (mt) (Entered: 10/05/2003)
10/03/2003	57	Notice of filing estimate of trial length by Equal Employment, Equal Employment (mt) (Entered: 10/05/2003)
10/03/2003	58	Joint motion by Equal Employment, Union Pacific to continue trial (mt) (Entered: 10/05/2003)
10/03/2003	59	Memorandum by Equal Employment in support of motion in limine [56-1] (mt) (Entered: 10/05/2003)
10/07/2003	60	Order granting joint motion to continue trial [58-1] Jury trial 8:30 12/8/03 signed by Judge David Briones (mt) (Entered: 10/07/2003)
10/09/2003	61	Motion by Equal Employment for clarification (mt) (Entered: 10/10/2003)
10/14/2003	62	Response and Objections by Equal Employment to motion in limine [42-1] (mt) (Entered: 10/15/2003)
10/14/2003	63	Written Objections by Equal Employment, Equal Employment to jury instructions [53-1] (mt) (Entered: 10/15/2003)
10/24/2003	64	Amended Order granting in part, denying in part motion for summary judgment [28-1] signed by Judge David Briones (mt) (Entered: 10/24/2003)
11/20/2003	65	Order vacating non-jury trial of 12/8/03 and ordering proposed dismissal of this cause on or before 12/17/03 signed by Judge David Briones (dl1) (Entered: 11/21/2003)
12/17/2003	66	Joint motion by Union Pacific, Equal Employment, DeMarco Howard for extension of time to file proposed dismissal (jm) (Entered: 12/17/2003)
12/19/2003	67	Order granting joint motion for extension of time to file proposed dismissal [66-1] (Parties file a proposed dismissal of this cause on or before 1/17/04) signed by Judge David Briones (jm) (Entered: 12/19/2003)
01/16/2004	68	Joint motion by Equal Employment, DeMarco Howard, Union Pacific to enter consent decree (jm) (Entered: 01/16/2004)

01/29/2004	69	Joint motion by Equal Employment, Union Pacific, DeMarco Howard to dismiss and for entry of Consent Decree (jm) (Entered: 01/29/2004)
02/02/2004	70	Order granting joint motion to dismiss and for entry of Consent Decree [69-1] signed by Judge David Briones (jm) (Entered: 02/03/2004)
02/02/2004	71	Consent decree for Equal Employment against Union Pacific signed by Judge David Briones) (jm) (Entered: 02/03/2004)
02/02/2004		Case closed (jm) (Entered: 02/03/2004)

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