

CLOSED

**Electronic Case Filing System**  
**District of Utah (Central)**  
**CIVIL DOCKET FOR CASE #: 2:03-cv-00846-TC**

EEOC v. Body Firm Aerobics  
Assigned to: Judge Tena Campbell  
Demand: \$0  
Cause: 42:1983 Civil Rights Act

Date Filed: 09/29/2003  
Date Terminated: 05/21/2007  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Lincoln W. Hobbs**  
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**Intervenor Plaintiff**

**Andrea Liender**

represented by **Lincoln W. Hobbs**  
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V.

**Defendant**

**Body Firm Aerobics**  
*doing business as*  
Gold's Gym

represented by **Brian C Harrison**  
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**Movant**

**Shannon Viertel McCarty**

represented by **Mary Anne Q. Wood**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Brian C Harrison**  
 (See above for address)

**Kathryn Ogden Balmforth**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/29/2003	<a href="#">1</a>	Complaint filed, assigned to Judge J. Thomas Greene (kvs) (Entered: 09/30/2003)
09/30/2003		Memo of recusal signed by Judge Greene, 9/30/03 (ce) (Entered: 10/01/2003)
10/01/2003		Case reassigned to Judge Tena Campbell (ce) (Entered: 10/02/2003)
10/03/2003	<a href="#">2</a>	NTC of recusal of Judge J. Thomas Greene and reassignment to Judge Tena Campbell. cc: atty (alt) (Entered: 10/06/2003)
10/27/2003	3	Return of summons executed as to Body Firm Aerobics c/o Ryan Heber on 10/7/03 Answer due on 10/27/03 for Body Firm Aerobics (kvs) (Entered: 10/30/2003)
11/03/2003	<a href="#">4</a>	Answer to Complaint by Body Firm Aerobics (kvs) (Entered: 11/05/2003)
11/03/2003		Clerk's mailing of certificate of acknowledgment of alternative dispute resolution option. Mailed, faxed or emailed to plaintiff EEOC, defendant Body Firm Aerobics (kvs) (Entered: 11/05/2003)
11/26/2003	<a href="#">5</a>	Motion by Andrea Liender to intervene by Andrea Liender (kvs) (Entered: 12/01/2003)
11/26/2003	<a href="#">6</a>	Memorandum by Andrea Liender in support of [5-1] motion to intervene by Andrea Liender (kvs) (Entered: 12/01/2003)
12/11/2003	<a href="#">7</a>	Motion and Order signed by Judge Tena Campbell, 12/11/03. Granting motion/PHV for Attorney Sally Shanley, Mary Jo O'Neill, C. Emanuel Smith on behalf of plaintiff EEOC cc:attys (alt) (Entered: 12/15/2003)

04/07/2004	<a href="#">8</a>	Notice of Hearing filed: status conference set for 2:30 6/10/04 To be held before Judge TC cc:atty (Ntc generated by: Chmbrs, TB) (alt) (Entered: 04/07/2004)
04/22/2004	<a href="#">9</a>	Order granting [5-1] motion to intervene by Andrea Liender signed by Judge Tena Campbell, 4/22/04 cc:atty (alt) (Entered: 04/23/2004)
05/18/2004	<a href="#">10</a>	AMENDED Notice of Hearing filed: status conference reset for 2:30 6/14/04 To be held before Judge TC cc:atty (Ntc generated by: Chmbrs, TB) (alt) (Entered: 05/18/2004)
05/18/2004	<a href="#">11</a>	REPORT of Attorney Planning Meeting (alt) (Entered: 05/18/2004)
05/26/2004	<a href="#">12</a>	Scheduling order Setting Joining of parties, amending of pleadings on 5:00 7/23/04; Deadline for filing of all motions 5:00 1/14/05; Discovery cutoff 5:00 11/19/04-fact, 12/23/04-expert; Special Attorney Conference by 5/5/05; Final Pretrial Conference for 3:00 5/19/05; 3-day Jury Trial for 8:30 6/13/05 Signed by Judge David Nuffer 5/25/04 cc:atty. (alt) (Entered: 05/26/2004)
06/01/2004	13	Certificate of service re: initial Rule 26(a)(1) dcls by EEOC (alt) (Entered: 06/02/2004)
06/01/2004	14	Certificate of service re: Rule 26(a)(1) intitial dcls by Andrea Liender (alt) (Entered: 06/02/2004)
06/14/2004	<a href="#">15</a>	Minute entry: Mr. Harrison will file a stipulated motion to amend scheduling order. Parties may mediate and will inform the court if mediation is chosen. The court directs counsel to meet this week and decide what discovery needs to be produced. Damages are to be identified by 7/15/04. ; Judge: Tena Campbell Court Reporter: Ray Fenlon Court Deputy: Theresa Brown (tb) (Entered: 06/15/2004)
06/16/2004	16	Certificate of service re: dft's initial dcls by Body Firm Aerobics (alt) (Entered: 06/17/2004)
08/13/2004	17	Certificate of service by EEOC re: First Supplemental Disclosure Statement (jmr) (Entered: 08/13/2004)
11/19/2004	<a href="#">18</a>	Joint Stipulation by EEOC, Body Firm Aerobics, Andrea Liender Joint Stip to extend time upto 4/29/04 for discovery deadlines (jmr) (Entered: 11/22/2004)
11/22/2004	<a href="#">21</a>	Order granting [18-1] stipulated motion to extend time upto 4/29/04 for discovery deadlines, discovery due set for 4/29/05 signed by Judge Tena Campbell, 11/24/04 cc:atty (alt) (Entered: 11/23/2004)
11/23/2004	<a href="#">19</a>	AMENDED Notice of Hearing filed: Final Pretrial Conference reset for 3:00 11/14/05 To be held before Judge TC cc:atty (Ntc generated by: Chmbrs, TB) (alt) (Entered: 11/23/2004)
11/23/2004	<a href="#">20</a>	AMENDED Notice of Hearing filed: 3-Day Jury trial reset for 8:30 12/5/05 To be held before Judge TC cc:atty (Ntc generated by: Chmbrs, TB) (alt) (Entered: 11/23/2004)
04/29/2005	<a href="#">22</a>	Order, extending deadline , discovery due reset for 8/31/05 signed by Judge Tena Campbell, 4/28/05 cc:atty (alt) (Entered: 04/29/2005)

06/06/2005	<a href="#">23</a>	CERTIFICATE OF SERVICE re: 2nd Supplemental Disclosure Statement by Equal Employment Opportunity Commission (alt) (Entered: 06/08/2005)
06/09/2005	<a href="#">24</a>	MOTION/ORDER granting motion for Admission Pro Hac Vice of Lucila G. Rosas for Equal Employment Opportunity Commission. <i>Attorneys admitted pro hac vice may download a copy of the District of Utah's local rules from court's web site at http://www.utd.uscourts.gov. Signed by Judge Tena Campbell on 6/9/05 (alt) (Entered: 06/10/2005)</i>
06/24/2005	<a href="#">25</a>	CERTIFICATE OF SERVICE re: 1st set of requests for prod/docs by Andrea Liender (alt) (Entered: 06/28/2005)
06/24/2005	<a href="#">26</a>	CERTIFICATE OF SERVICE re: 1st set of interrogs by Andrea Liender (alt) (Entered: 06/28/2005)
07/13/2005	<a href="#">27</a>	NOTICE of Appearance by Kathryn Ogden Balmforth, Mary Anne Q. Wood on behalf of Body Firm Aerobics (alt) (Entered: 07/18/2005)
07/18/2005	<a href="#">28</a>	CERTIFICATE OF SERVICE re: Discovery Requests by Equal Employment Opportunity Commission (alt) (Entered: 07/27/2005)
07/21/2005	<a href="#">29</a>	CERTIFICATE OF SERVICE re: 2nd set of requests for prod/docs by Body Firm Aerobics (alt) (Entered: 07/27/2005)
07/21/2005	<a href="#">30</a>	CERTIFICATE OF SERVICE re: 1st set of interrogs & reqs for prod/docs by Body Firm Aerobics (alt) (Entered: 07/27/2005)
07/26/2005	<a href="#">31</a>	CERTIFICATE OF SERVICE re: answer/responses to Lienders 1st set of Interrogs & 1st set of requests for prod/doc by Body Firm Aerobics (alt) (Entered: 08/08/2005)
08/08/2005	<a href="#">32</a>	CERTIFICATE OF SERVICE re: 3rd Supplemental Disclosure Statement by Equal Employment Opportunity Commission (alt) (Entered: 08/10/2005)
08/10/2005	<a href="#">33</a>	MOTION for Akiko Kawamura to Withdraw as Attorney filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 08/11/2005)
08/15/2005	<a href="#">34</a>	ORDER granting <a href="#">33</a> Motion to Withdraw as Attorney. Signed by Judge Tena Campbell on 8/15/05 (alt) (Entered: 08/17/2005)
08/17/2005	<a href="#">36</a>	CERTIFICATE OF SERVICE by Body Firm Aerobics (alt) (Entered: 08/23/2005)
08/22/2005	<a href="#">40</a>	CERTIFICATE OF SERVICE re: discovery responses by Equal Employment Opportunity Commission (alt) (Entered: 08/29/2005)
08/23/2005	<a href="#">35</a>	MOTION for Protective Order <i>re 30(b)(6) Deposition</i> filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> )(Shanley, Sally) (Entered: 08/23/2005)
08/23/2005	<a href="#">37</a>	Joint MOTION for Extension of Time to Complete Discovery filed by Plaintiff Equal Employment Opportunity Commission and intervenor plaintiff Andrea Liender. (Attachments: # <a href="#">1</a> # <a href="#">2</a> )(Shanley, Sally) Modified on 8/24/2005 by adding intervenor plaintiff Liender to this entry (ce, ). (Entered: 08/23/2005)

08/23/2005	<a href="#">41</a>	CERTIFICATE OF SERVICE re: responses to 1st & 2nd sets of requests for prod/docs, by Andrea Liender (alt) (Entered: 08/29/2005)
08/24/2005	38	Modification of Docket: Error: Intervenor Plaintiff was not added to the original entry for motion for extension of time to complete discovery, doc no. 37. Correction: Added intervenor plaintiff Liender re <a href="#">37</a> Joint MOTION for Extension of Time to Complete Discovery (ce, ) (Entered: 08/24/2005)
08/24/2005	39	Modification of Docket: Error: The attachments for documents no. 35 and 37 were not described. Correction: Attachments were described for clarity re <a href="#">37</a> Joint MOTION for Extension of Time to Complete Discovery (one attachment), <a href="#">35</a> MOTION for Protective Order <i>re 30(b)(6) Deposition</i> (two attachments). (ce, ) (Entered: 08/24/2005)
08/29/2005	<a href="#">44</a>	MOTION for Protective Order re: Deposition, filed by Defendant Body Firm Aerobics (alt) (Entered: 08/31/2005)
08/29/2005	<a href="#">45</a>	MEMORANDUM in Support of <a href="#">44</a> MOTION for Protective Order, filed by Defendant Body Firm Aerobics (alt) (Entered: 08/31/2005)
08/29/2005	<a href="#">46</a>	STATEMENT OF COUNSEL in support of <a href="#">44</a> MOTION for Protective Order filed by Body Firm Aerobics (alt) (Entered: 08/31/2005)
08/30/2005	<a href="#">42</a>	MOTION to Amend <a href="#">4</a> Answer to Complaint filed by Defendant Body Firm Aerobics (alt) (Entered: 08/31/2005)
08/30/2005	<a href="#">43</a>	MEMORANDUM in Support of <a href="#">42</a> MOTION to Amend <a href="#">4</a> Answer to Complaint, filed by Defendant Body Firm Aerobics (alt) (Entered: 08/31/2005)
09/01/2005	<a href="#">47</a>	CERTIFICATE OF SERVICE re: 1st Supplementation to Rule 26(a)(1) Initial Disclosures by Andrea Liender (alt) (Entered: 09/08/2005)
09/06/2005	<a href="#">49</a>	ORDER REFERRING CASE to Magistrate Judge Samuel Alba under 28:636 (b)(1)(A), Magistrate to hear and determine all nondispositive pretrial matters. Signed by Judge Tena Campbell on 9/6/05 (alt) (Entered: 09/09/2005)
09/09/2005	<a href="#">48</a>	EXPERT REPORT of David Cherrington <i>Witness</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Expert Report of David Cherrington)(Wood, Mary Anne) (Entered: 09/09/2005)
09/12/2005	<a href="#">50</a>	MEMORANDUM in Opposition to <a href="#">35</a> MOTION for Protective Order <i>re: 30(b)(6) Deposition</i> , filed by Defendant Body Firm Aerobics (alt) (Entered: 09/15/2005)
09/12/2005	<a href="#">51</a>	MEMORANDUM in Opposition to <a href="#">37</a> Joint MOTION for Extension of Time to Complete Discovery, filed by Defendant Body Firm Aerobics (alt) (Entered: 09/15/2005)
09/15/2005	<a href="#">53</a>	EXHIBIT A filed by Body Firm Aerobics re: <a href="#">51</a> Memorandum in Opposition to Motion (alt) (Entered: 09/19/2005)
09/16/2005	52	<b>NOTICE OF HEARING ON MOTION</b> re: <a href="#">35</a> MOTION for Protective Order <i>re 30(b)(6) Deposition</i> , <a href="#">44</a> MOTION for Protective Order, <a href="#">37</a> Joint MOTION for Extension of Time to Complete Discovery, <a href="#">42</a> MOTION to Amend/Correct <a href="#">4</a> Answer to Complaint: Motion Hearing set for 10/5/2005 10:00 A.M. in Room 248 before Magistrate Judge Samuel Alba. (cas) (Entered: 09/16/2005)

09/19/2005	<a href="#">54</a>	RESPONSE to Motion re <a href="#">42</a> MOTION to Amend/Correct <a href="#">4</a> Answer to Complaint filed by Plaintiff Equal Employment Opportunity Commission. (Rosas, Lucila) (Entered: 09/19/2005)
09/19/2005	<a href="#">55</a>	CROSS-MOTION to Compel 30(b)(6) Deposition filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 09/22/2005)
09/19/2005	<a href="#">56</a>	MEMORANDUM in Opposition to <a href="#">44</a> MOTION for Protective Order, filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 09/22/2005)
09/19/2005	<a href="#">57</a>	MEMORANDUM in Support of <a href="#">55</a> CROSS-MOTION to Compel 30(b)(6) Deposition filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 09/22/2005)
09/19/2005	<a href="#">58</a>	DECLARATION of Lincoln W. Hobbs filed by Andrea Liender (alt) (Entered: 09/22/2005)
09/26/2005	<a href="#">59</a>	REPLY to Response to Motion re <a href="#">37</a> Joint MOTION for Extension of Time to Complete Discovery filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit Letter to Brian Harrison)(Rosas, Lucila) (Entered: 09/26/2005)
09/26/2005	<a href="#">60</a>	REPLY to Response to Motion re <a href="#">35</a> MOTION for Protective Order <i>re 30(b)(6) Deposition</i> filed by Plaintiff Equal Employment Opportunity Commission. (Shanley, Sally) (Entered: 09/26/2005)
09/27/2005	<a href="#">61</a>	MOTION to Strike the Declaration of Mary Anne Q. Wood filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 09/29/2005)
09/27/2005	<a href="#">62</a>	MEMORANDUM in Support of <a href="#">61</a> MOTION to Strike filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 09/29/2005)
09/27/2005	<a href="#">63</a>	SUBSTITUTED DECLARATION of Brain C. Harrison filed by Body Firm Aerobics (alt) (Entered: 09/29/2005)
09/30/2005	<a href="#">64</a>	REPLY to Response to Motion re <a href="#">44</a> MOTION for Protective Order filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Appendix A - Unreported cases: Schroeder v. Southwest Airlines; EEOC v. Pacific Maritime Ass'n)(Wood, Mary Anne) (Entered: 09/30/2005)
10/03/2005	<a href="#">65</a>	REPLY to Response to Motion re <a href="#">42</a> MOTION to Amend/Correct <a href="#">4</a> Answer to Complaint filed by Defendant Body Firm Aerobics. (Wood, Mary Anne) (Entered: 10/03/2005)
10/04/2005	<a href="#">66</a>	MEMORANDUM in Opposition re <a href="#">55</a> MOTION to Compel 30(b)(6) Deposition filed by Defendant Body Firm Aerobics. (Wood, Mary Anne) (Entered: 10/04/2005)
10/04/2005	<a href="#">68</a>	REPLY to Response to <a href="#">55</a> MOTION to Compel 30(b)(6) Deposition filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 10/12/2005)
10/05/2005	<a href="#">69</a>	MOTION to Compel Resumption of Deposition of Ronald O. Littlebrandt filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 10/13/2005)
10/05/2005	<a href="#">70</a>	MEMORANDUM in Support of <a href="#">69</a> MOTION to Compel Resumption of Deposition of Ronald O. Littlebrandt filed by Intervenor Plaintiff Andrea Liender



		(Attachments: #(1) Exhibit, #(2) Exhibit, #(3) Exhibit, #(4) Exhibit)(alt) (Entered: 10/13/2005)
10/05/2005	<a href="#">71</a>	SUPPLEMENTAL DECLARATION of Lincoln W. Hobbs filed by Andrea Liender (alt) (Entered: 10/13/2005)
10/05/2005	<a href="#">72</a>	AMENDED CERTIFICATE OF SERVICE re: Rule 26(a)(3) Pretrial Disclosures by Andrea Liender (alt) (Entered: 10/13/2005)
10/12/2005	<a href="#">67</a>	NOTICE of Lodging Proposed Form of Order by Equal Employment Opportunity Commission re <a href="#">35</a> MOTION for Protective Order <i>re 30(b)(6) Deposition</i> (Attachments: # <a href="#">1</a> Exhibit Proposed Form of Order)(Shanley, Sally) (Entered: 10/12/2005)
10/19/2005	<a href="#">73</a>	MEMORANDUM in Opposition to <a href="#">69</a> MOTION to Compel Resumption of Deposition of Ronald O. Littlebrandt, filed by Defendant Body Firm Aerobics (alt) (Entered: 10/21/2005)
10/28/2005	<a href="#">74</a>	AMENDED ANSWER to Complaint filed by Body Firm Aerobics(alt) (Entered: 10/31/2005)
10/31/2005	75	<b>NOTICE OF HEARING ON MOTION</b> re: <a href="#">69</a> MOTION to Compel Resumption of Deposition of Ronald O. Littlebrandt: Motion Hearing set for 11/14/2005 09:30 AM in Room 248 before Magistrate Judge Samuel Alba. (cas) (Entered: 10/31/2005)
11/01/2005	<a href="#">76</a>	TRIAL ORDER with instructions to counsel: 3-day Jury Trial set for 12/5/2005 08:30 AM before Judge Tena Campbell. Final Pretrial Conference set for 11/14/2005 03:00 PM before Judge Tena Campbell. In Chambers Conference set for 12/5/2005 08:00 AM before Judge Tena Campbell. Signed by Judge Tena Campbell on 10/31/05 (alt) (Entered: 11/01/2005)
11/01/2005	<a href="#">77</a>	NOTICE OF FILING Complaint in Intervention filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 11/03/2005)
11/04/2005	<a href="#">78</a>	ORDER granting <a href="#">42</a> Motion to Amend Answer. Signed by Judge Samuel Alba on 11/3/05 (alt) (Entered: 11/04/2005)
11/14/2005	85	Minute Entry for proceedings held before Judge Samuel Alba: granting <a href="#">69</a> Motion to Compel, Motion Hearing held on 11/14/2005 re <a href="#">69</a> MOTION to Compel Resumption of Deposition of Ronald O. Littlebrandt filed by Andrea Liender. The Court noted the Motion to Compel and corresponding memoranda. Counsel presented their arguments as to the Motion to Compel to the Court. The Court granted the Plaintiff-Intervenor's Motion to Compel Resumption of Deposition of Ronald O. Littlebrandt. The Court ordered Rule 37 sanctions as to the costs associated with the resumption of the deposition to include the attorney's fees of Mr. Smith and Mr. Hobbs. The Court will not impose travel costs but will assess the hourly rate. Mr. Hobbs is to submit an affidavit of costs and provide a copy to counsel. Mr. Hobbs is to prepare and submit a proposed order in this matter. Attorney for Plaintiff-Intervenor: Lincoln Hobbs, Attorney for Plaintiff: Emanuel Smith, Attorney for Defendant Kathryn Balmforth.(Court Reporter Electronic, Tape #162 & 163, Log #6418-End and 0000-781.) (tsh, ) (Entered: 11/18/2005)

11/15/2005	<a href="#">79</a>	ORDER granting <a href="#">35</a> Motion for Protective Order. Signed by Judge Samuel Alba on 11/15/05 (alt) (Entered: 11/15/2005)
11/15/2005	<a href="#">80</a>	MOTION to Compel Responses to Discovery re: Punitive Damages filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 11/16/2005)
11/15/2005	<a href="#">81</a>	MEMORANDUM in Support of <a href="#">80</a> MOTION to Compel Responses to Discovery re: Punitive Damages filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 11/16/2005)
11/15/2005	<a href="#">82</a>	DECLARATION of Lisa McGarry filed by Andrea Liender (alt) (Entered: 11/16/2005)
11/15/2005	<a href="#">87</a>	NOTICE of Change of Address by Lincoln W Hobbs, Lisa M. McGarry (alt) (Entered: 11/21/2005)
11/16/2005	<a href="#">83</a>	MOTION to Reconsider Ruling on Motion to Compel Resumption of Deposition of Ronald O. Littlebrandt filed by Defendant Body Firm Aerobics (alt) (Entered: 11/18/2005)
11/16/2005	<a href="#">84</a>	MEMORANDUM in Support of <a href="#">83</a> MOTION to Reconsider Ruling on Motion to Compel Resumption of Deposition of Ronald O. Littlebrandt filed by Defendant Body Firm Aerobics (alt) (Entered: 11/18/2005)
11/18/2005	<a href="#">86</a>	AMENDED SCHEDULING ORDER: Discovery due by 12/30/2005. Motions due by 1/31/2006. Final Pretrial Conference set for 4/3/2006 02:30 PM before Judge Tena Campbell. 4-day Jury Trial set for 4/24/2006 08:30 AM before Judge Tena Campbell. Signed by Judge Samuel Alba on 11/18/05 (alt) (Entered: 11/21/2005)
11/21/2005	<a href="#">88</a>	ANSWER to Complaint in Intervention filed by Body Firm Aerobics (alt) (Entered: 11/22/2005)
11/28/2005	<a href="#">89</a>	MOTION to Compel Production of Documents filed by Defendant Body Firm Aerobics (alt) (Entered: 11/29/2005)
11/28/2005	<a href="#">90</a>	MEMORANDUM in Support of <a href="#">89</a> MOTION to Compel Production of Documents filed by Defendant Body Firm Aerobics (alt) (Entered: 11/29/2005)
11/28/2005	<a href="#">91</a>	OBJECTIONS to Affidavit of Attorney Fees (no such affidavit filed with the Clerk's Office as of 11/29/05), filed by Defendant Body Firm Aerobics (alt) (Entered: 11/29/2005)
11/30/2005	<a href="#">95</a>	CERTIFICATE OF SERVICE re: 1st set of interrogs & 2nd set of reqs for prod/docs by Equal Employment Opportunity Commission (alt) (Entered: 12/02/2005)
11/30/2005	<a href="#">96</a>	MEMORANDUM in Opposition to <a href="#">80</a> MOTION to Compel Responses to Discovery re: Punitive Damages, filed by Defendant Body Firm Aerobics (alt) (Entered: 12/02/2005)
12/01/2005	<a href="#">92</a>	NOTICE of Service of Fourth Supplemental Rule 26(a)(1) Disclosure Statement by Equal Employment Opportunity Commission (Shanley, Sally) (Entered: 12/01/2005)

12/01/2005	<a href="#">93</a>	MOTION to Strike <a href="#">48</a> Expert Report filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Rosas, Lucila) (Entered: 12/01/2005)
12/01/2005	<a href="#">94</a>	MOTION to Expedite Hearing on Plaintiff EEOC's and Plaintiff-Intervenor's Motion to Strike Expert Testimony filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Rosas, Lucila) (Entered: 12/01/2005)
12/02/2005	<a href="#">97</a>	MEMORANDUM in Opposition to <a href="#">94</a> MOTION to Expedite Hearing on Plaintiff EEOC's and Plaintiff-Intervenor's Motion to Strike Expert Testimony, filed by Defendant Body Firm Aerobics (alt) (Entered: 12/06/2005)
12/02/2005	<a href="#">98</a>	OBJECTION to Magistrates <a href="#">79</a> Order on Motion for Protective Order, filed by Defendant Body Firm Aerobics (Attachments: # <a href="#">1</a> Exhibit)(alt) (Entered: 12/06/2005)
12/05/2005	<a href="#">100</a>	<b>**RESTRICTED DOCUMENT**</b> RETURN OF SERVICE Executed for Subpoena served on Rhonda Albrecht Hillan on 11/29/05, filed by Defendant Body Firm Aerobics (alt) (Entered: 12/07/2005)
12/05/2005	<a href="#">101</a>	MEMORANDUM in Opposition to <a href="#">83</a> MOTION to Reconsider Ruling on Motion to Compel Resumption of Deposition of Ronald O. Littlebrandt, filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 12/07/2005)
12/06/2005	<a href="#">102</a>	ERRATA to <a href="#">98</a> Objections filed by Defendant Body Firm Aerobics (alt) (Entered: 12/09/2005)
12/06/2005	<a href="#">103</a>	MOTION to Continue Trial Date filed by Defendant Body Firm Aerobics (alt) (Entered: 12/09/2005)
12/06/2005	<a href="#">104</a>	MEMORANDUM in Support of <a href="#">103</a> MOTION to Continue Trial Date filed by Defendant Body Firm Aerobics (alt) (Entered: 12/09/2005)
12/07/2005	99	<b><u>NOTICE OF HEARING</u></b> : (Notice generated by Theresa Brown) Miscellaneous Hearing (Dft's Objection to Magistrate Order on Motion for Protective Order) set for 12/19/2005 10:00 AM in Room 230. (tab) (Entered: 12/07/2005)
12/08/2005	<a href="#">107</a>	<b>**RESTRICTED DOCUMENT**</b> RETURN OF SERVICE Executed for Subpoena served on Rona Hill on 11/30/05, filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 12/09/2005)
12/08/2005	<a href="#">108</a>	CERTIFICATE OF SERVICE re: supplemental responses to 1st set of reqs for prod/docs by Body Firm Aerobics (alt) (Entered: 12/09/2005)
12/09/2005	<a href="#">105</a>	REPLY to Response to Motion re <a href="#">94</a> MOTION to Expedite Hearing on Plaintiff EEOC's and Plaintiff-Intervenor's Motion to Strike Expert Testimony filed by Plaintiff Equal Employment Opportunity Commission. (Shanley, Sally) (Entered: 12/09/2005)
12/09/2005	106	<b><u>AMENDED NOTICE OF HEARING</u></b> : (Notice generated by Theresa Brown) Miscellaneous Hearing (Objection to Magistrate Order) set for 12/19/2005 02:30 PM in Room 230. (tab) (Entered: 12/09/2005)
12/12/2005	<a href="#">109</a>	RESPONSE re: <a href="#">91</a> Objections, filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 12/13/2005)

12/13/2005	<a href="#">110</a>	REPLY to Response to <a href="#">80</a> MOTION to Compel Responses to Discovery re: Punitive Damages filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 12/14/2005)
12/14/2005	<a href="#">111</a>	CERTIFICATE OF SERVICE re: 2nd Supplementation to Rule 26(a)(1) Initial Disclosures by Andrea Liender (alt) (Entered: 12/14/2005)
12/15/2005		Response to Objections BRIEF re <a href="#">98</a> Objections to <i>Magistrate's Order</i> filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # (1))(Shanley, Sally) Modified on 12/19/2005: document image removed and redocketed (alt) (Entered: 12/15/2005)
12/15/2005	<a href="#">114</a>	RESPONSE re: <a href="#">98</a> Objections, filed by Plaintiff Equal Employment Opportunity Commission (Attachments: # <a href="#">1</a> Exhibits)(alt) (Entered: 12/19/2005)
12/15/2005	115	Modification of Docket: Error: Filer selected wrong docketing event for document #112. Correction: Document redocketed correctly as a Response (entry #114), re: [112] Brief (alt) (Entered: 12/19/2005)
12/15/2005	<a href="#">116</a>	REPLY to Response to <a href="#">83</a> MOTION to Reconsider Ruling on Motion to Compel Resumption of Deposition of Ronald O. Littlebrandt filed by Defendant Body Firm Aerobics (alt) (Entered: 12/19/2005)
12/15/2005	<a href="#">117</a>	CERTIFICATE OF SERVICE re: First Supplemental Disclosures by Body Firm Aerobics (alt) (Entered: 12/19/2005)
12/16/2005	<a href="#">113</a>	RESPONSE to Motion re <a href="#">89</a> MOTION to Compel Production of Documents filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit A)(Shanley, Sally) (Entered: 12/16/2005)
12/16/2005	<a href="#">118</a>	MOTION to Quash Subpoena filed by Defendant Body Firm Aerobics (alt) (Entered: 12/19/2005)
12/16/2005	<a href="#">119</a>	MEMORANDUM in Support re: <a href="#">118</a> MOTION to Quash Subpoena filed by Defendant Body Firm Aerobics (alt) (Entered: 12/19/2005)
12/16/2005	<a href="#">120</a>	MOTION for Protective Order re: Deposition of Ron Littlebrant filed by Defendant Body Firm Aerobics (alt) (Entered: 12/19/2005)
12/16/2005	<a href="#">121</a>	MEMORANDUM in Support re: <a href="#">120</a> MOTION for Protective Order filed by Defendant Body Firm Aerobics (alt) (Entered: 12/19/2005)
12/19/2005	122	Minute Entry for proceedings held before Judge Tena Campbell : Miscellaneous Hearing (Objection to Magistrate Order) held on 12/19/2005. After hearing argument from counsel, the court grants in part and denies in part objection to Magistrate Order. The court directs EEOC to designate a person to give deposition testimony regarding conciliation in this case. Ms. Shanley is to produce file by 12/23/2005. Ms. Wood is to prepare an order. The court re-sets 5 day jury trial for 6/12/2006 (second place) and 9/25/2006 (first place). Attorney for Plaintiff: Sally Shanley, Esq., Attorney for Defendant Mary Anne Wood, Kathryn Balmforth, Esq.(Court Reporter Ray Fenlon.) (tab) (Entered: 12/19/2005)
12/19/2005	<a href="#">125</a>	MEMORANDUM in Opposition re: <a href="#">93</a> MOTION to Strike <a href="#">48</a> Expert Report, filed by Defendant Body Firm Aerobics (alt) (Entered: 12/20/2005)

12/20/2005	123	<b><u>NOTICE OF HEARING</u></b> : (Notice generated by Theresa Brown) Final Pretrial Conference set for 5/22/2006 03:00 PM in Room 230 before Judge Tena Campbell. (tab) (Entered: 12/20/2005)
12/20/2005	124	<b><u>AMENDED NOTICE OF HEARING</u></b> : (Notice generated by Theresa Brown) Five Day Jury Trial(second place) set for 6/12/2006 08:30 AM in Room 230 before Judge Tena Campbell. A five day jury trial (first place) has been set for 9/25/2006 @ 8:30 a.m. (tab) (Entered: 12/20/2005)
12/21/2005	<a href="#">127</a>	WRITTEN ORDER following [122] Minute Entry on Miscellaneous Hearing on Dfts Objection to Magistrate Order (Oral order of 12/19/05). Signed by Judge Tena Campbell on 12/21/05 (alt) (Entered: 12/27/2005)
12/21/2005	<a href="#">128</a>	<b>**RESTRICTED DOCUMENT**</b> RETURN OF SERVICE Executed for Subpoena served on Rusty R. Hurd on 11/23/05, filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 12/28/2005)
12/21/2005	<a href="#">130</a>	MEMORANDUM in Opposition re: <a href="#">120</a> MOTION for Protective Order filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 12/28/2005)
12/21/2005	<a href="#">131</a>	MEMORANDUM in Support re: <a href="#">129</a> MOTION to Compel Resumption of Deposition of Ronald O. Littlebrant filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 12/28/2005)
12/21/2005	<a href="#">132</a>	CERTIFICATE OF SERVICE re: Supplemental Responses to 1st & 2nd Sets of Requests for Prod/Docs by Andrea Liender (alt) (Entered: 12/28/2005)
12/21/2005	<a href="#">133</a>	CERTIFICATE OF SERVICE re: Declaration of Andrea Liender (alt) (Entered: 12/28/2005)
12/22/2005	<a href="#">126</a>	NOTICE of Service of Supplemental Response to Defendants Request for Production by Equal Employment Opportunity Commission (Shanley, Sally) (Entered: 12/22/2005)
12/22/2005	<a href="#">129</a>	2ND MOTION to Compel Resumption of Deposition of Ronald O. Littlebrant filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 12/28/2005)
12/23/2005	<a href="#">134</a>	REPLY in Support of <a href="#">91</a> Objections filed by Defendant Body Firm Aerobics (alt) (Entered: 12/28/2005)
12/27/2005	<a href="#">135</a>	DOCUMENT LODGED consisting of: letter from Dept of Workforce Svcs (alt) (Entered: 12/28/2005)
12/27/2005	<a href="#">136</a>	CERTIFICATE OF SERVICE re: 3rd Supplementation to Initial Disclosures by Andrea Liender (alt) (Entered: 12/28/2005)
12/28/2005	<a href="#">137</a>	MOTION to Quash Subpoena filed by Movant Shannon Viertel McCarty, Defendant Body Firm Aerobics (alt) (Entered: 12/29/2005)
12/28/2005	<a href="#">138</a>	MEMORANDUM in Support re: <a href="#">137</a> MOTION to Quash Subpoena filed by Movant Shannon Viertel McCarty, Defendant Body Firm Aerobics (alt) (Entered: 12/29/2005)
12/30/2005	<a href="#">140</a>	CERTIFICATE OF SERVICE re: 4th Supplementation to Rule 26(a)(1) Intitial Disclosures by Andrea Liender (alt) (Entered: 01/03/2006)



12/30/2005	<a href="#">141</a>	REPLY to Response to <a href="#">137</a> MOTION to Quash Subpoena filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 01/03/2006)
12/30/2005	<a href="#">142</a>	MOTION to Take 11th Deposition, MOTION for Extension of Time for Discovery Deadline for Limited Purpose of Taking the Depositions of Troy Viertel and Shannon Viertel McCarty filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 01/03/2006)
12/30/2005	<a href="#">143</a>	MEMORANDUM in Support re: <a href="#">142</a> MOTION to Take 11th Deposition, MOTION for Extension of Time for Discovery Deadline for Limited Purpose of Taking the Depositions of Troy Viertel and Shannon Viertel McCarty filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 01/03/2006)
12/30/2005	<a href="#">145</a>	CERTIFICATE OF SERVICE re: answers to 1st interrogs & response to 2nd req for prod/docs by Body Firm Aerobics (alt) (Entered: 01/04/2006)
01/03/2006	139	<b><u>NOTICE OF HEARING ON MOTIONS</u></b> re: <a href="#">80</a> MOTION to Compel Responses to Discovery re: Punitive Damages, <a href="#">83</a> MOTION to Reconsider Ruling on Motion to Compel Resumption of Deposition of Ronald O. Littlebrandt, <a href="#">89</a> MOTION to Compel Production of Documents, <a href="#">120</a> MOTION for Protective Order, <a href="#">118</a> MOTION to Quash Subpoena, <a href="#">103</a> MOTION to Continue Trial Date: Motion Hearing set for 1/17/2006 9:00 a.m. in Room 248 before Magistrate Judge Samuel Alba. (cas) (Entered: 01/03/2006)
01/03/2006	<a href="#">144</a>	REPLY to Response to Motion re <a href="#">93</a> MOTION to Strike <a href="#">48</a> Expert Report filed by Plaintiff Equal Employment Opportunity Commission. (Rosas, Lucila) (Entered: 01/03/2006)
01/03/2006	<a href="#">146</a>	<b>**RESTRICTED DOCUMENT**</b> RETURN OF SERVICE Executed for Subpoena Duces Tecum served on UT Dept of Workforce Services on 12/20/05, filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 01/04/2006)
01/03/2006	<a href="#">147</a>	REPLY to Response to <a href="#">89</a> MOTION to Compel Production of Documents filed by Defendant Body Firm Aerobics (alt) (Entered: 01/04/2006)
01/03/2006	<a href="#">148</a>	WITHDRAWAL OF <a href="#">118</a> MOTION to Quash Subpoena by Defendant Body Firm Aerobics (alt) (Entered: 01/04/2006)
01/03/2006	<a href="#">149</a>	MOTION for Attorney Fees filed by Defendant Body Firm Aerobics (alt) (Entered: 01/04/2006)
01/03/2006	<a href="#">150</a>	MEMORANDUM in Support re: <a href="#">149</a> MOTION for Attorney Fees filed by Defendant Body Firm Aerobics (alt) (Entered: 01/04/2006)
01/05/2006	151	<b><u>AMENDED NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">80</a> MOTION to Compel Responses to Discovery re: Punitive Damages, <a href="#">83</a> MOTION to Reconsider Ruling on Motion to Compel Resumption of Deposition of Ronald O. Littlebrandt, <a href="#">89</a> MOTION to Compel Production of Documents, <a href="#">120</a> MOTION for Protective Order, <a href="#">103</a> MOTION to Continue Trial Date, Objection to Affidavit of Attorney Fees: Motion Hearing RESCHEDULED for 1/24/2006 2:00 p.m. in Room 248 before Magistrate Judge Samuel Alba. (cas) (Entered: 01/05/2006)
01/06/2006	<a href="#">152</a>	REPLY to Response to <a href="#">120</a> MOTION for Protective Order filed by Defendant Body Firm Aerobics (alt) (Entered: 01/10/2006)

01/06/2006	<a href="#">153</a>	MEMORANDUM in Opposition re: <a href="#">129</a> MOTION to Compel Resumption of Deposition of Ronald O. Littlebrant, filed by Defendant Body Firm Aerobics (alt) (Entered: 01/10/2006)
01/10/2006	<a href="#">154</a>	RESPONSE to <a href="#">149</a> MOTION for Attorney Fees filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 01/17/2006)
01/10/2006	<a href="#">155</a>	DECLARATION of Lisa M. McGarry filed by Andrea Liender (alt) (Entered: 01/17/2006)
01/18/2006	<a href="#">156</a>	MEMORANDUM in Opposition re <a href="#">142</a> MOTION to Take Deposition MOTION for Extension of Time for Discovery Deadline for Limited Purpose of Taking the Depositions of Troy Viertel and Shannon Viertel McCarty, filed by Defendant Body Firm Aerobics (alt) (Entered: 01/20/2006)
01/19/2006	<a href="#">157</a>	REPLY to Response to <a href="#">149</a> MOTION for Attorney Fees filed by Defendant Body Firm Aerobics (alt) (Entered: 01/20/2006)
01/20/2006	<a href="#">158</a>	REPLY to Response to <a href="#">142</a> MOTION to Take Deposition MOTION for Extension of Time for Discovery Deadline for Limited Purpose of Taking the Depositions of Troy Viertel and Shannon Viertel McCarty filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 01/23/2006)
01/20/2006	<a href="#">159</a>	JOINT MOTION to Reconvene 30(b)(6) Deposition filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender (alt) (Entered: 01/23/2006)
01/20/2006	<a href="#">160</a>	MEMORANDUM in Support re <a href="#">159</a> MOTION to Reconvene 30(b)(6) Deposition filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender (alt) (Entered: 01/23/2006)
01/24/2006	161	Minute Entry for proceedings held before Judge Samuel Alba.After hearing from counsel, Court issued the following ruling. <a href="#">80</a> Motion to Compel was granted-requested discovery is to be provided. Counsel are to meet and come up with a workable protective order. This information is to be used for the purposes of this proceedings only. Order relates to the defendant only. Mr. Hobbs to prepare an order. The <a href="#">83</a> MOTION to Reconsider Ruling on Motion to Compel Resumption of Deposition of Ronald O. Littlebrandt filed by Body Firm Aerobics was denied Court amended the sanction for attorneys fees. The defendants are to pay attorneys fees in the amount of \$1750 this was reduced from \$3000. Court finds t <a href="#">137</a> Motion to Quash to be moot, the motion for attorney fees was denied. <a href="#">118</a> MOTION to Quash Subpoena filed by Body Firm Aerobics is moot and the request for attorneys fees is also denied. Court denied <a href="#">148</a> and <a href="#">149</a> Motion for attorneys fees. <a href="#">120</a> MOTION for Protective Order filed by Body Firm Aerobics was granted. The motion <a href="#">142</a> to Take Deposition and Motion for Extension of Time were granted. Depositions are to be completed by 2/24/06. The dispositive motion cut-off was extended to 3/1/06. <a href="#">89</a> Motion to Compel Production of Documents filed by Body Firm Aerobics was taken under advisement. Court ordered the EEOC to provide 58 pages to him for an in camera inspection. They are to be submitted by 1/31/06. The depo of the EEOC is to be held on 1/25/06. If after the Court reviews the documents the deposition may be reopened as to the EEOC. Documents are to be sent directly to Judge Alba. Mr. Hobbs to prepare an order. Attorney for Plaintiff: Lincoln Hobbs and Lisa

		McGarry- rep intervenor plaintiff, Lucila G. Rosas - plaintiff cnsl, Attorney for Defendant Kathryn Balmforth and Maryanne Wood.(Court Reporter Electronic, Tape #4, 5, Log #5177-4288.) (ss, ) (Entered: 01/31/2006)
02/06/2006	<a href="#">162</a>	MEMORANDUM in Opposition re <a href="#">159</a> MOTION to Reconvene 30(b)(6) Deposition filed by Defendant Body Firm Aerobics. (jmr ) (Entered: 02/10/2006)
02/22/2006	<a href="#">164</a>	REPLY to Response to <a href="#">159</a> Joint MOTION to Reconvene 30(b)(6) Deposition filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender (alt) (Entered: 02/23/2006)
02/23/2006	<a href="#">163</a>	MOTION to Withdraw as Attorney filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Smith, C.) (Entered: 02/23/2006)
02/24/2006	<a href="#">165</a>	ORDER granting <a href="#">163</a> Motion to for C. E. Smith to Withdraw as Attorney. Signed by Judge Tena Campbell on 2/24/06 (alt) (Entered: 02/24/2006)
02/28/2006	<a href="#">166</a>	<b>**RESTRICTED DOCUMENT**</b> TRANSCRIPT of Proceedings held on January 24, 2006(Transcript of Tape-Recorded Hearing on Various Motions) before Judge SAMUEL ALBA. Court Reporter: DAWN E. BRUNNER-HAHN. (asp, ) (Entered: 02/28/2006)
03/01/2006	<a href="#">167</a>	MOTION for Partial Summary Judgment filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 03/01/2006)
03/01/2006	<a href="#">168</a>	MEMORANDUM in Support re <a href="#">167</a> MOTION for Partial Summary Judgment filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A-1 - Deposition of Andrea Liender# <a href="#">2</a> Exhibit A-2 - Deposition of Andrea Liender# <a href="#">3</a> Exhibit A-3 - Deposition of Andrea Liender# <a href="#">4</a> Exhibit A-4 - Deposition of Andrea Liender# <a href="#">5</a> Exhibit B - 2nd Deposition of Troy Peterson, selected pages# <a href="#">6</a> Exhibit C - Deposition of Ronald O. Littlebrant, selected pages# <a href="#">7</a> Exhibit D - Deposition of Scott Felsted, selected pages# <a href="#">8</a> Exhibit E - Deposition of Mary Littlebrant, selected pages# <a href="#">9</a> Exhibit F - Declaration of Ronald O. Littlebrant# <a href="#">10</a> Exhibit G - Declaration of Rusty R. Hurd# <a href="#">11</a> Exhibit H - 1st Deposition of Troy Peterson, selected pages# <a href="#">12</a> Exhibit I - 05/16/01 Letter from Andrea Liender to Troy Peterson# <a href="#">13</a> Exhibit J - 06/26/01 Interoffice Communication of Ron Littlebrant# <a href="#">14</a> Exhibit K - 07/05/01 Memo from Andrea Liender# <a href="#">15</a> Exhibit L - Deposition of Troy Viertel# <a href="#">16</a> Exhibit M - Deposition of Laura Aston, selected pages# <a href="#">17</a> Exhibit N - Deposition of Erin Allen, selected pages# <a href="#">18</a> Exhibit O - Declaration of Mary Littlebrant# <a href="#">19</a> Exhibit P - Time sheets of Erin Allen)(Balmforth, Kathryn) (Entered: 03/01/2006)
03/01/2006	<a href="#">169</a>	CERTIFICATE OF SERVICE re: 5th Supplementation to Rule 26(A)(1) Initial Disclosures by Andrea Liender (alt) (Entered: 03/02/2006)
03/01/2006	<a href="#">170</a>	MOTION for Partial Summary Judgment to Eliminate the Dfts Ellerth/Faragher Defense and for an Instruction to the Jury to Consider Award of Punitive Damages filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 03/02/2006)
03/01/2006	<a href="#">171</a>	MEMORANDUM in Support re <a href="#">170</a> MOTION for Partial Summary Judgment filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 03/02/2006)



03/01/2006	<a href="#">172</a>	MOTION for Partial Summary Judgment and Order Finding That the Defendant and Related Entities are a Single Employer filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 03/02/2006)
03/01/2006	<a href="#">173</a>	MEMORANDUM in Support re <a href="#">172</a> MOTION for Partial Summary Judgment filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 03/02/2006)
03/31/2006	174	<b>NOTICE OF HEARING ON MOTION</b> re: <a href="#">93</a> Pla's Motion to Strike Expert Report: Motion Hearing set for 4/11/2006 at 10:00 AM in Room 230 before Judge Tena Campbell. (mjm) (Entered: 03/31/2006)
04/03/2006	<a href="#">175</a>	MEMORANDUM in Opposition re <a href="#">172</a> MOTION for Partial Summary Judgment <i>and Order Finding That the Defendant and Related Entities Are a Single Employer</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Declaration of Troy C. Peterson# <a href="#">2</a> Exhibit B - Cited pages of 12/28/05 Deposition of Troy C. Peterson# <a href="#">3</a> Exhibit C - Cited pages of Deposition of Scott Felsted# <a href="#">4</a> Exhibit D - Civil No. 2:00CV00774, Memorandum in Opposition# <a href="#">5</a> Exhibit E - Civil No. 2:00CV00774, Memorandum Opinion & Order)(Balmforth, Kathryn) (Entered: 04/03/2006)
04/03/2006	<a href="#">176</a>	MEMORANDUM in Opposition re <a href="#">170</a> MOTION for Partial Summary Judgment <i>to Eliminate Defendant's Ellerth/Faragher Defense and for an Order for an Instruction to the Jury to Consider an Award of Punitive Damages</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Cited pages of Deposition of Ronda L. Hillam# <a href="#">2</a> Exhibit B - 06/26/01 Memo of Ron Littlebrant# <a href="#">3</a> Exhibit C - Cited pages of Deposition of Andrea Liender# <a href="#">4</a> Exhibit D - Cited pages of Deposition of Troy Viertel# <a href="#">5</a> Exhibit E - Gold's Gym Employee Handbook# <a href="#">6</a> Exhibit F - Cited pages of 09/02/05 Deposition of Troy Peterson# <a href="#">7</a> Exhibit G - Cited pages of 12/28/05 Deposition of Troy Peterson# <a href="#">8</a> Exhibit H - Declaration of Troy C. Peterson# <a href="#">9</a> Exhibit I - Cited pages of Deposition of Shannon Viertel McCarty# <a href="#">10</a> Exhibit J - Cited pages of Deposition of Ronald O. Littlebrant# <a href="#">11</a> Exhibit K - 07/05/01 Letter of Andrea Liender# <a href="#">12</a> Exhibit L - Cited pages of Deposition of Erin Allen# <a href="#">13</a> Exhibit M - Declaration of Ronald O. Littlebrant# <a href="#">14</a> Exhibit N - Cited pages of Deposition of Scott Felsted# <a href="#">15</a> Exhibit O - Cited pages of Deposition of Laura Aston)(Balmforth, Kathryn) (Entered: 04/03/2006)
04/03/2006	<a href="#">177</a>	MEMORANDUM in Opposition re <a href="#">167</a> MOTION for Partial Summary Judgment, filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender (alt) (Entered: 04/10/2006)
04/04/2006	<a href="#">178</a>	EXHIBITS filed by Andrea Liender re <a href="#">177</a> Memorandum in Opposition to Motion. (Attachments: #(1) Exhibit 1-5; #(2) Exhibit 6-13; #(3) Exhibit 14-16; #(4) Exhibit 17-21)(alt) (Entered: 04/10/2006)
04/11/2006	<a href="#">179</a>	ORDER denying <a href="#">93</a> Motion to Strike. Signed by Judge Tena Campbell on 4/11/06 (alt) (Entered: 04/11/2006)
04/11/2006	180	<b>NOTICE OF HEARING ON MOTION</b> re: <a href="#">167</a> Dft Body Firm Aerobics Motion for Partial Summary Judgment, <a href="#">170</a> Motion for Partial Summary Judgment to Eliminate the dfts Ellerth/Faragher defense: Motion Hearing set for 6/6/2006 at 10:00 AM in Room 230 before Judge Tena Campbell. (mjm) (Entered: 04/11/2006)

04/11/2006	184	Minute Entry for proceedings held before Judge Tena Campbell : Motion Hearing held on 4/11/2006 re: Pla's Motion to Strike <a href="#">48</a> Expert Report filed by Equal Employment Opportunity Commission. The Court denies pla's motion to strike expert report filed by EEOC. The Court strikes the second place trial setting of 6/12/2006. Cnsl have a first place trial setting for 9/25/2006. The Court instructs cnsl to have a meeting and set discovery deadline. Attorney for Plaintiff: Sally Shanley, Lincoln Hobbs-Intvp, Attorney for Defendant Mary Anne Wood.(Court Reporter Ray Fenlon.)(mjm) (Entered: 04/12/2006)
04/11/2006	<a href="#">185</a>	CERTIFICATE OF SERVICE by Andrea Liender re: 6th supplementation to Rule 26(a)(1) initial disclosures (alt) (Entered: 04/12/2006)
04/12/2006	<a href="#">181</a>	OBJECTIONS to " <i>Stipulated</i> " <i>Unilateral Protective Order</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/12/2006)
04/12/2006	<a href="#">182</a>	OBJECTIONS to <i>Proposed Order Compelling Responses to Plaintiff-Intervenor's Discovery Respecting Punitive Damages</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Cited pages of 30(b)(6) Deposition of Body Firm Aerobics, Inc.# <a href="#">2</a> Exhibit B - Cited pages of Transcript of Tape-Recorded Hearing on Various Motions, January 24, 2006)(Balmforth, Kathryn) (Entered: 04/12/2006)
04/12/2006	183	<b><u>AMENDED NOTICE OF HEARING ON MOTION</u></b> re: 167 - Dft Body Firm Aerobics Motion for Partial Summary Judgment, 170 - Motion for Partial Summary Judgment to Eliminate the dfts Ellerth/Faragher defense: Motion Hearing RESET for 6/5/2006 at 3:30 PM in Room 230 before Judge Tena Campbell.(mjm) (Entered: 04/12/2006)
04/13/2006	<a href="#">186</a>	NOTICE of Filing Original Declaration of Erin Allen by Equal Employment Opportunity Commission re <a href="#">178</a> Exhibits 17 (Attachments: # <a href="#">1</a> Exhibit Declaration of Erin Allen)(Shanley, Sally) (Entered: 04/13/2006)
04/14/2006	<a href="#">187</a>	WRITTEN ORDER FOLLOWING [161] Minute Entry denying Motion Reconsideration and granting Motion for Protective Order (oral order of 1/24/06). Signed by Judge Samuel Alba on 4/14/06 (alt) (Entered: 04/17/2006)
04/14/2006	<a href="#">188</a>	WRITTEN ORDER FOLLOWING [161] Minute Entry granting Motion to Take Deposition, and Motion for Extension of Time (oral order of 1/24/06). Signed by Judge Samuel Alba on 4/14/06 (alt) (Entered: 04/17/2006)
04/14/2006	<a href="#">189</a>	WRITTEN ORDER FOLLOWING [161] Minute Entry Finding as Moot Motion to Quash (oral order of 1/24/06). Signed by Judge Samuel Alba on 4/14/06 (alt) (Entered: 04/17/2006)
04/14/2006	<a href="#">190</a>	WRITTEN ORDER FOLLOWING [161] Minute Entry Finding as Moot Motion to Quash (oral order of 1/24/06). Signed by Judge Samuel Alba on 4/14/06 (alt) (Entered: 04/17/2006)
04/17/2006	<a href="#">191</a>	REPLY to Response to <a href="#">170</a> MOTION for Partial Summary Judgment filed by Intervenor Plaintiff Andrea Liender (Attachments: #(1) Exhibits 1-10)(alt) (Entered: 04/18/2006)
04/17/2006	<a href="#">192</a>	REPLY to Response to <a href="#">172</a> MOTION for Partial Summary Judgment filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 04/18/2006)

04/19/2006	<a href="#">193</a>	MOTION for Extension of Time to File Response/Reply as to <a href="#">167</a> MOTION for Partial Summary Judgment filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Text of Proposed Order ORDER EXTENDING TIME TO FILE REPLY IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT)(Balmforth, Kathryn) (Entered: 04/19/2006)
04/19/2006	<a href="#">194</a>	MEMORANDUM in Support re <a href="#">193</a> MOTION for Extension of Time to File Response/Reply as to <a href="#">167</a> MOTION for Partial Summary Judgment filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/19/2006)
04/21/2006	<a href="#">195</a>	ORDER granting <a href="#">193</a> Motion for Extension of Time to File Response/Reply re <a href="#">167</a> MOTION for Partial Summary Judgment: Reply Memo due by 4/27/2006. Signed by Judge Tena Campbell on 4/21/06 (alt) (Entered: 04/21/2006)
04/24/2006	<a href="#">196</a>	WRITTEN ORDER following [161] Minute Entry granting on Motion to Compel (oral order of 1/24/06). Signed by Judge Samuel Alba on 4/14/06 (alt) (Entered: 04/24/2006)
04/25/2006	<a href="#">197</a>	<b>NOTICE OF HEARING ON MOTIONS</b> MOTION for Partial Summary Judgment filed by Body Firm Aerobics - #167, MOTION for Partial Summary Judgment filed by Andrea Liender - #170, MOTION for Partial Summary Judgment filed by Andrea Liender - #172: Motions will be heard on 6/5/2006 at 3:30 PM in Room 230 before Judge Tena Campbell. (mjm) (Entered: 04/25/2006)
04/27/2006	<a href="#">198</a>	ORDER RE: Expert Deposition & Expert Reports. Signed by Judge Tena Campbell on 4/26/06 (alt) (Entered: 04/27/2006)
04/27/2006	<a href="#">199</a>	MOTION for Extension of Time to File Response/Reply as to <a href="#">167</a> MOTION for Partial Summary Judgment filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Balmforth, Kathryn) (Entered: 04/27/2006)
04/27/2006	<a href="#">200</a>	MEMORANDUM in Support re <a href="#">199</a> MOTION for Extension of Time to File Response/Reply as to <a href="#">167</a> MOTION for Partial Summary Judgment filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/27/2006)
05/01/2006	<a href="#">201</a>	OBJECTIONS to <a href="#">187</a> Order - Written Order Following Oral Order on Motion filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Cited pages of Transcript of 01-24-06 Hearing# <a href="#">2</a> Exhibit B - Order Denying Motion to Reconsider Ruling on Motion to Compel Resumption of Deposition of Ronald O. Littlebrant and Granting Defendant's Motion for Protective Order)(Balmforth, Kathryn) (Entered: 05/01/2006)
05/01/2006	<a href="#">202</a>	ORDER granting <a href="#">199</a> Motion for Extension of Time to File Reply Memo re <a href="#">167</a> MOTION for Partial Summary Judgment: Reply due by 5/4/2006. Signed by Judge Tena Campbell on 5/1/06 (alt) (Entered: 05/02/2006)
05/04/2006	<a href="#">203</a>	<b>**RESTRICTED DOCUMENT**</b> RETURN OF SERVICE Executed for Subpoena served on Dr. David J. Cherrington on 4/26/06, filed by Plaintiff Equal Employment Opportunity Commission (alt) (Entered: 05/04/2006)
05/04/2006	<a href="#">204</a>	NOTICE OF CONVENTIONAL FILING of Reply Memorandum in Support of Motion for Partial Summary Judgment filed by Defendant Body Firm Aerobics (Balmforth, Kathryn) (Entered: 05/04/2006)

05/04/2006	<a href="#">207</a>	REPLY to Response to <a href="#">167</a> MOTION for Partial Summary Judgment filed by Defendant Body Firm Aerobics. (Attachments: #(1) Argument, #(2) Exhibit Q-U, #(3) Exhibit V, #(4) Exhibit W-Z, #(5) Exhibit AA-HH)(alt) (Entered: 05/05/2006)
05/05/2006	205	<b><u>NOTICE OF HEARING</u></b> : (Notice generated by Mary Jane McNamee) Miscellaneous Hearing set for 10/11/2006 at 10:00 AM in Room 230. The Court will hear Defendants Objection to Order Denying Motion to Reconsider on Motion to Compel Resumption of Deposition of Ronald O. Littlebrant and Granting Defendant's Motion for Protective Order. (mjm) (Entered: 05/05/2006)
05/05/2006	206	<b><u>AMENDED NOTICE OF HEARING</u></b> : (Notice generated by Mary Jane McNamee) Miscellaneous Hearing reset for 5/11/2006 at 10:00 AM in Room 230. <b>(Please disregard previous notice, which listed the hearing for 10/11/2006 at 10:00 a.m.)</b> (mjm, ) (Entered: 05/05/2006)
05/08/2006	<a href="#">208</a>	OBJECTIONS to <a href="#">196</a> Order - Written Order Following Oral Order on Motion to Compel Responses to Plaintiff-Intervenor's Discovery Respecting Punitive Damages filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Magistrate Judge Alba's Order Compelling Responses to Plaintiff-Intervenor's Discovery Respecting Punitive Damages# <a href="#">2</a> Exhibit B - Cited page of January 24, 2006 Hearing Transcript# <a href="#">3</a> Exhibit C - Cited page of Body Firm's 30(b)(6) Deposition Transcript# <a href="#">4</a> Exhibit D - Unpublished case: Morris v. Swank Educational Enterprises, Inc., 2004 WL 1899987)(Balmforth, Kathryn) (Entered: 05/08/2006)
05/10/2006	209	<b><u>AMENDED NOTICE OF HEARING ON MOTION</u></b> The Court will hear the following Motions and Objections: MOTION for Partial Summary Judgment filed by Body Firm Aerobics - #167; MOTION for Partial Summary Judgment filed by Andrea Liender - #170; MOTION for Partial Summary Judgment filed by Andrea Liender - #172; Defendant's Objection to Order Denying Motion to Reconsider on Motion to Compel Resumption of Deposition of Ronald O. Littlebrant and Granting Defendant's Motion for Protective Order-#201; AND Defendant's Objection to Magistrate's Order Compelling Responses to Plaintiff-Intervenor's Discovery Respecting Punitive Damages-#208, <b>on 6/5/2006 at 3:30 PM in Room 230 before Judge Tena Campbell. Please Note: Hearing date of 5/11/2006 at 10:00 a.m. has been stricken from the Court's calendar</b> (mjm, ) (Entered: 05/10/2006)
05/10/2006	<a href="#">210</a>	EXHIBITS filed by Body Firm Aerobics re <a href="#">207</a> Reply Memorandum/Reply to Response to Motion. (Balmforth, Kathryn) (Entered: 05/10/2006)
05/11/2006	<a href="#">211</a>	EXHIBITS filed by Andrea Liender re <a href="#">192</a> Reply Memorandum/Reply to Response to Motion. (Attachments: # <a href="#">1</a> Exhibit Exhibit 2)(McGarry, Lisa) (Entered: 05/11/2006)
05/11/2006	<a href="#">212</a>	EXHIBITS filed by Andrea Liender re <a href="#">192</a> Reply Memorandum/Reply to Response to Motion. (Attachments: # <a href="#">1</a> Exhibit #2)(McGarry, Lisa) (Entered: 05/11/2006)
05/15/2006	<a href="#">213</a>	RESPONSE re <a href="#">187</a> Order - Written Order Following Oral Order on Motion, <a href="#">201</a> Objections,, filed by Intervenor Plaintiff Andrea Liender and Plaintiff EEOC. (Hobbs, Lincoln) Modified on 5/15/2006: added EEOC as joint filer of pleading



		(alt) (Entered: 05/15/2006)
05/15/2006	214	Modification of Docket: Error: Entry did not indicate that response is filed by two different parties. Correction: Added EEOC as a filer of the pleading, re: <a href="#">213</a> Response (alt) (Entered: 05/15/2006)
05/18/2006	<a href="#">215</a>	RESPONSE re <a href="#">208</a> Objections,, <a href="#">196</a> Order - Written Order Following Oral Order on Motion, <i>Compelling Responses to Plaintiff-Intervenor's Discovery Respecting Punitive Damages</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 05/18/2006)
05/19/2006	<a href="#">216</a>	MOTION to Strike <i>Inadmissible Evidence</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 05/19/2006)
05/19/2006	<a href="#">217</a>	MEMORANDUM in Support re <a href="#">216</a> MOTION to Strike <i>Inadmissible Evidence</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Martinez v. CO2 Services, Inc., 12 Fed.Appx. 689# <a href="#">2</a> Exhibit B - Cited pages of Deposition of Andrea Liender# <a href="#">3</a> Exhibit C - Cited pages of Deposition of Troy Viertel# <a href="#">4</a> Exhibit D - Cited pages of Deposition of Erin Allen# <a href="#">5</a> Exhibit E - Roy v. United States Department of Agriculture, 115 Fed.Appx. 198# <a href="#">6</a> Exhibit F - Cited pages of Deposition of Laura Aston# <a href="#">7</a> Exhibit G - Declaration of Erin Allen# <a href="#">8</a> Exhibit H - Declaration of Andrea Liender# <a href="#">9</a> Exhibit I - Cited pages of Deposition of Ronda Hillam# <a href="#">10</a> Exhibit J - Cited pages of Deposition of Shannon Viertel McCarty# <a href="#">11</a> Exhibit K - Cited pages of Deposition of Scott Felsted# <a href="#">12</a> Exhibit L - Cited pages of Deposition of Lynette Felsted# <a href="#">13</a> Exhibit M - Shelter Mortgage Corporation v. Castle Mortgage Company, L.C., 117 Fed.Appx. 6# <a href="#">14</a> Exhibit N - Cited pages of Deposition of Troy C. Peterson (9/2/05)# <a href="#">15</a> Exhibit O - Cited pages of Deposition of Ronald O. Littlebrant)(Balmforth, Kathryn) (Entered: 05/19/2006)
05/19/2006	<a href="#">218</a>	Ex Parte (Not Sealed) MOTION for Leave to File Excess Pages filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Balmforth, Kathryn) (Entered: 05/19/2006)
05/30/2006	<a href="#">219</a>	REPLY BRIEF re <a href="#">201</a> Objections, <i>to Magistrate's Order Compelling Resumption of the Deposition of Ronald O. Littlebrant</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 05/30/2006)
05/31/2006	<a href="#">220</a>	MOTION to Strike <a href="#">219</a> Reply Brief filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 05/31/2006)
05/31/2006	<a href="#">221</a>	MEMORANDUM in Support re <a href="#">220</a> MOTION to Strike <a href="#">219</a> Reply Brief filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 05/31/2006)
05/31/2006	<a href="#">222</a>	MOTION to Compel responses to outstanding discovery <i>and exclude evidence</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 05/31/2006)
05/31/2006	<a href="#">223</a>	MEMORANDUM in Support re <a href="#">222</a> MOTION to Compel responses to outstanding discovery <i>and exclude evidence</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Attachments: # <a href="#">1</a>

		Exhibit # <a href="#">2</a> Exhibit # <a href="#">3</a> Exhibit)(Hobbs, Lincoln) (Entered: 05/31/2006)
05/31/2006	<a href="#">224</a>	AFFIDAVIT of Lisa M. McGarry in Support re <a href="#">222</a> MOTION to Compel responses to outstanding discovery <i>and exclude evidence</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 05/31/2006)
05/31/2006	<a href="#">225</a>	AFFIDAVIT of Lincoln W. Hobbs in Support re <a href="#">222</a> MOTION to Compel responses to outstanding discovery <i>and exclude evidence</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 05/31/2006)
05/31/2006	<a href="#">226</a>	MOTION to Strike <a href="#">207</a> Reply Memorandum/Reply to Response to Motion filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Attachments: # <a href="#">1</a> Affidavit)(Hobbs, Lincoln) (Entered: 05/31/2006)
05/31/2006	<a href="#">227</a>	MEMORANDUM in Support re <a href="#">245</a> MOTION to Strike <a href="#">207</a> Reply Memorandum/Reply to Response to Motion, MOTION for Extension of Time Respond to Motion for Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) Modified on 6/7/2006: relinked this entry to support the correct motion #245 (alt) (Entered: 05/31/2006)
05/31/2006	244	NOTICE OF DEFICIENCY re: <a href="#">226</a> MOTION to Strike <a href="#">207</a> Reply Memorandum/Reply to Response to Motion. The document contains two separate requests for ruling and filer should have selected both Motion Reliefs (Strike and Extension of Time For Response/Reply). The court asks the filer of the original document to refile the pleading using both motion reliefs. The new pleading will receive a new document number on the docket (alt) (Entered: 06/07/2006)
05/31/2006	246	Modification of Docket: Error: Memo was linked to incorrectly filed motion #226. Correction: Memo relinked to correctly refiled Motion #245, re: <a href="#">227</a> Memorandum in Support of Motion (alt) (Entered: 06/07/2006)
06/01/2006	<a href="#">228</a>	MEMORANDUM DECISION & ORDER affirming Magistrate Orders <a href="#">187</a> and <a href="#">196</a> ; dismissing Objections <a href="#">201</a> and <a href="#">208</a> . Signed by Judge Tena Campbell on 6/1/06 (alt) (Entered: 06/01/2006)
06/01/2006	<a href="#">229</a>	MOTION to Take Deposition from Rusty Hurd and Kandi Negrette, MOTION for Extension of Time Discovery <i>for one month</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 06/01/2006)
06/01/2006	<a href="#">230</a>	MEMORANDUM in Support re <a href="#">229</a> MOTION to Take Deposition from Rusty Hurd and Kandi Negrette MOTION for Extension of Time Discovery <i>for one month</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Attachments: # <a href="#">1</a> Exhibit Exhibits A and B)(Hobbs, Lincoln) (Entered: 06/01/2006)
06/01/2006	<a href="#">231</a>	MOTION for Extension of Time File Declaration <i>for one week</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 06/01/2006)

06/01/2006	<a href="#">232</a>	MEMORANDUM in Support re <a href="#">231</a> MOTION for Extension of Time File Declaration <i>for one week</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 06/01/2006)
06/01/2006	<a href="#">233</a>	AFFIDAVIT of Lincoln W. Hobbs in Support re <a href="#">231</a> MOTION for Extension of Time File Declaration <i>for one week</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 06/01/2006)
06/02/2006	<a href="#">234</a>	AFFIDAVIT of Ashley Jensen in Opposition re <a href="#">167</a> MOTION for Partial Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (McGarry, Lisa) (Entered: 06/02/2006)
06/02/2006	<a href="#">235</a>	AFFIDAVIT of Andrea J. Liender in Opposition re <a href="#">167</a> MOTION for Partial Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (McGarry, Lisa) (Entered: 06/02/2006)
06/02/2006	<a href="#">236</a>	AFFIDAVIT of Ashley Jensen in Opposition re <a href="#">167</a> MOTION for Partial Summary Judgment ( <i>signed cert/mailling</i> ) filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (McGarry, Lisa) (Entered: 06/02/2006)
06/05/2006	<a href="#">237</a>	MOTION to Strike <a href="#">236</a> Affidavit in Opposition to Motion of Ashley Jensen filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 06/05/2006)
06/05/2006	<a href="#">238</a>	MEMORANDUM in Support re <a href="#">237</a> MOTION to Strike <a href="#">236</a> Affidavit in Opposition to Motion of Ashley Jensen filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Cited pages of Deposition of Scott Felsted# <a href="#">2</a> Exhibit B - Utah Dept. of Commerce Business Entity Searches# <a href="#">3</a> Exhibit C - Cited pages of Deposition of Mary Littlebrant)(Balmforth, Kathryn) (Entered: 06/05/2006)
06/05/2006	<a href="#">239</a>	MEMORANDUM in Opposition re <a href="#">245</a> MOTION to Strike <a href="#">207</a> Reply Memorandum/Reply to Response to Motion, MOTION for Extension of Time Respond to Motion for Summary Judgment, filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Defendant's First Supplemental Disclosures Under Rule 26(a)(1)# <a href="#">2</a> Exhibit B - Cited pages of Deposition of Ronald O. Littlebrant)(Balmforth, Kathryn) Modified on 6/7/2006: relinked this opposition to corrected motion #245 (alt) (Entered: 06/05/2006)
06/05/2006	<a href="#">240</a>	MEMORANDUM in Opposition re <a href="#">229</a> MOTION to Take Deposition from Rusty Hurd and Kandi Negrette MOTION for Extension of Time Discovery <i>for one month</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Defendant's First Supplemental Disclosures Under Rule 26(a)(1)# <a href="#">2</a> Exhibit B - Cited pages of Deposition of Ronald O. Littlebrant)(Balmforth, Kathryn) (Entered: 06/05/2006)
06/05/2006	<a href="#">241</a>	MEMORANDUM in Opposition re <a href="#">231</a> MOTION for Extension of Time File Declaration <i>for one week</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Defendant's First Supplemental Disclosures Under Rule 26(a)(1)# <a href="#">2</a> Exhibit B - Cited pages of Deposition of Ronald O. Littlebrant)(Balmforth,

		Kathryn) (Entered: 06/05/2006)
06/05/2006	<a href="#">242</a>	MOTION to Strike <i>Paragraphs 6, 7, 8, 10, 11, 12, 13 and 14 of Third Declaration of Andrea Liender</i> filed by Defendant Body Firm Aerobics. (Wood, Mary Anne) (Entered: 06/05/2006)
06/05/2006	<a href="#">243</a>	MEMORANDUM in Support re <a href="#">242</a> MOTION to Strike <i>Paragraphs 6, 7, 8, 10, 11, 12, 13 and 14 of Third Declaration of Andrea Liender</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Declaration of John Christopher Durfee# <a href="#">2</a> Exhibit B - Declaration of Troy Peterson)(Wood, Mary Anne) (Entered: 06/05/2006)
06/05/2006	247	Modification of Docket: Error: Memo was linked to incorrectly filed motion #226. Correction: Memo relinked to correctly refiled Motion #245, re: <a href="#">239</a> Memorandum in Opposition to Motion (alt) (Entered: 06/07/2006)
06/05/2006	250	Minute Entry for proceedings held before Judge Tena Campbell : Motion Hearing held on 6/5/2006. The Court hears oral argument and therefore denies Pla's motion to strike reply in support of dft's objection to Magistrate's Order compelling Resumption of the deposition of Ronald Littlebrant. The Court will issue an order. Attorney for Plaintiff: Sally Shanley, Lincoln Hobbs, Lisa McGarry, Attorney for Defendant Kathryn Balmforth, Mary Anne Wood.(Court Reporter Ray Fenlon.)(mjm) (Entered: 06/26/2006)
06/07/2006	<a href="#">245</a>	MOTION for Extension of Time Respond to Motion <i>for Summary Judgment</i> , MOTION to Strike <a href="#">207</a> Reply Memorandum/Reply to Response to Motion filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 06/07/2006)
06/12/2006	<a href="#">248</a>	ORDER denying as moot <a href="#">220</a> Motion to Strike <a href="#">219</a> Reply Brief. Signed by Judge Tena Campbell on 6/12/06 (alt) (Entered: 06/12/2006)
06/19/2006	<a href="#">249</a>	MEMORANDUM in Opposition re <a href="#">222</a> MOTION to Compel responses to outstanding discovery <i>and exclude evidence</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Expert Report and Vitae of Dr. David Cherrington# <a href="#">2</a> Exhibit B (Part 1) - 1st Half of Deposition Transcript of David Cherrington# <a href="#">3</a> Exhibit B (Part 2) - 2nd Half of Deposition Transcript of David Cherrington# <a href="#">4</a> Exhibit C - Defendant's First Supplemental Disclosures Under Rule 26(a)(1)# <a href="#">5</a> Exhibit D - Cited Pages of Deposition of Scott Felsted)(Balmforth, Kathryn) (Entered: 06/19/2006)
06/27/2006	<a href="#">251</a>	NOTICE of Citation of Supplemental Authority by Equal Employment Opportunity Commission re <a href="#">177</a> Memorandum in Opposition to Motion (Shanley, Sally) (Entered: 06/27/2006)
06/29/2006	<a href="#">252</a>	RESPONSE re <a href="#">251</a> Notice (Other), of <i>EEOC's Citation of Supplemental Authority</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 06/29/2006)
06/30/2006	<a href="#">253</a>	ORDER granting in part and denying in part <a href="#">159</a> Motion to Reconvene Deposition (GRANTED) and for Sanctions (DENIED). Signed by Judge Samuel Alba on 6/29/06 (alt) (Entered: 06/30/2006)



07/03/2006	<a href="#">254</a>	REPLY to Response to Motion re <a href="#">222</a> MOTION to Compel responses to outstanding discovery <i>and exclude evidence</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Attachments: # <a href="#">1</a> Exhibit Hearing Transcript# <a href="#">2</a> Exhibit Declaration# <a href="#">3</a> Exhibit Memorandum Decision and Order)(McGarry, Lisa) (Entered: 07/03/2006)
07/05/2006	<a href="#">255</a>	MOTION for Leave to File Surreply Memorandum filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Proposed Surreply Memorandum# <a href="#">2</a> Text of Proposed Order)(Balmforth, Kathryn) (Entered: 07/05/2006)
07/05/2006	<a href="#">256</a>	MEMORANDUM in Support re <a href="#">255</a> MOTION for Leave to File Surreply Memorandum filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 07/05/2006)
07/06/2006	<a href="#">257</a>	RESPONSE to Motion re <a href="#">255</a> MOTION for Leave to File Surreply Memorandum filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Attachments: # <a href="#">1</a> Exhibit Memorandum Decision and Order)(McGarry, Lisa) (Entered: 07/06/2006)
07/10/2006	<a href="#">258</a>	ORDER granting <a href="#">255</a> Motion for Leave to File Surreply Memo. Signed by Judge Samuel Alba on 7/10/06 (alt) (Entered: 07/11/2006)
07/11/2006	<a href="#">259</a>	MEMORANDUM in Opposition re <a href="#">222</a> MOTION to Compel responses to outstanding discovery <i>and exclude evidence (SURREPLY)</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Order Compelling Responses to Plaintiff-Intervenor's Discovery Respecting Punitive Damages)(Balmforth, Kathryn) (Entered: 07/11/2006)
07/12/2006	<a href="#">260</a>	NOTICE of Citation of Supplemental Authority by Body Firm Aerobics re <a href="#">170</a> Motion for Partial Summary Judgment to Eliminate Ellerth/Faragher Defense, <a href="#">222</a> Motion to Compel Responses to Outstanding Discovery (Attachments: # <a href="#">1</a> Exhibit A - Order Granting Motion to Dismiss, Case No. 2:06-CV-00197 PGC# <a href="#">2</a> Exhibit B - Memorandum Opposing Deseret Laboratories International's Renewed Motion to Dismiss, Case No. 2:06-CV-00197 PGC)(Balmforth, Kathryn) Modified on 7/19/2006: removed links to memoranda and created links to related motions instead (alt) (Entered: 07/12/2006)
07/12/2006	263	Modification of Docket: Error: Document was linked to memoranda instead of motions. Correction: Removed links to memoranda and created links to related motions <a href="#">170</a> and <a href="#">222</a> , re: <a href="#">260</a> Notice of Citation of Supplemental Authority (alt) (Entered: 07/19/2006)
07/13/2006	<a href="#">261</a>	<b>**RESTRICTED DOCUMENT**</b> TRANSCRIPT of Proceedings: Motions hearing held on 6/5/06 before Judge Tena Campbell. Court Reporter: Raymond P. Fenlon (alt) (Entered: 07/13/2006)
07/14/2006	<a href="#">262</a>	MEMORANDUM DECISION & ORDER granting in part and denying in part <a href="#">167</a> Motion for Partial Summary Judgment: Specifically, summary judgment is granted for Body Shop on Ms. Lienders claims of retaliation and constructive discharge, but is denied on Ms. Allens claims of disparate treatment and constructive discharge (Additionally, Body Firms request for an order holding punitive damages inapplicable to this case is denied); denying <a href="#">170</a> Motion for Partial Summary Judgment; denying <a href="#">172</a> Motion for Partial Summary Judgment; denying <a href="#">216</a> Motion to Strike; granting <a href="#">218</a> Motion for Leave to File Excess

		Pages; denying <a href="#">231</a> Motion for Extension of Time; denying <a href="#">237</a> Motion to Strike; denying <a href="#">242</a> Motion to Strike; denying <a href="#">245</a> Motion for Extension of Time; denying <a href="#">245</a> Motion to Strike. Signed by Judge Tena Campbell on 7/13/06 (alt) (Entered: 07/14/2006)
07/25/2006	<a href="#">264</a>	MOTION for Protective Order filed by Defendant Body Firm Aerobics. (Wood, Mary Anne) (Entered: 07/25/2006)
07/25/2006	<a href="#">265</a>	MEMORANDUM in Support re <a href="#">264</a> MOTION for Protective Order filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - July 11, 2006 Letter from Lisa M. McGarry to Mary Anne Q. Wood# <a href="#">2</a> Exhibit B - Notices of Deposition# <a href="#">3</a> Exhibit C - July 14, 2006 Letter to Mary Anne Q. Wood to Lisa McGarry# <a href="#">4</a> Exhibit D - July 25, 2006 Letter from Lincoln W. Hobbs to Mary Anne Q. Wood and Sally C. Shanley# <a href="#">5</a> Exhibit E - Excerpt from 30(b)(6) Deposition of Body Firm (Troy Peterson))(Wood, Mary Anne) (Entered: 07/25/2006)
07/25/2006	<a href="#">266</a>	MEMORANDUM in Opposition re <a href="#">264</a> MOTION for Protective Order filed by Intervenor Plaintiff Andrea Liender. (Attachments: # <a href="#">1</a> Exhibit Deposition of Troy Peterson)(Hobbs, Lincoln) (Entered: 07/25/2006)
07/26/2006	267	DOCKET TEXT ORDER denying <a href="#">264</a> Motion for Protective Order. Signed by Judge Samuel Alba on 7/26/06.No attached document. (cas) (Entered: 07/26/2006)
07/26/2006	<a href="#">268</a>	MOTION for Entry of Judgment filed by Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 07/26/2006)
07/26/2006	<a href="#">269</a>	MEMORANDUM in Support re <a href="#">268</a> MOTION for Entry of Judgment filed by Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 07/26/2006)
07/31/2006	<a href="#">270</a>	MOTION for Protective Order <i>Pursuant to Rule 26(c)(6)</i> filed by Defendant Body Firm Aerobics. (Wood, Mary Anne) (Entered: 07/31/2006)
07/31/2006	<a href="#">271</a>	MEMORANDUM in Support re <a href="#">270</a> MOTION for Protective Order <i>Pursuant to Rule 26(c)(6)</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Certification of Compliance Pursuant to Rule 26(c))(Wood, Mary Anne) (Entered: 07/31/2006)
08/07/2006	<a href="#">272</a>	MEMORANDUM in Opposition re <a href="#">270</a> MOTION for Protective Order <i>Pursuant to Rule 26(c)(6)</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Attachments: # <a href="#">1</a> Exhibit Unpublished case SEC v. Dowdell)(McGarry, Lisa) (Entered: 08/07/2006)
08/11/2006	<a href="#">273</a>	MOTION to Expedite Trial <i>Status Conference</i> , MOTION to Continue Trial filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Attachments: # <a href="#">1</a> Exhibit Def's Answers to P-Intervenor's First Interrogatories# <a href="#">2</a> Exhibit Def's Response to EEOC's First Req. Production of Documents)(McGarry, Lisa) (Entered: 08/11/2006)
08/11/2006	274	<b><u>NOTICE OF HEARING ON MOTION</u></b> re: <a href="#">229</a> MOTION to Take Deposition from Rusty Hurd and Kandi Negrette MOTION for Extension of Time Discovery <i>for one month</i> , <a href="#">222</a> MOTION to Compel responses to outstanding discovery <i>and exclude evidence</i> : Motion Hearing set for 8/29/2006 10:30 a.m. in Courtroom 248 before Magistrate Judge Samuel Alba. (cas) (Entered: 08/11/2006)

08/14/2006	<a href="#">275</a>	MEMORANDUM in Opposition re <a href="#">268</a> MOTION for Entry of Judgment filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 08/14/2006)
08/15/2006	<a href="#">276</a>	MEMORANDUM in Opposition re <a href="#">273</a> MOTION to Expedite Trial <i>Status Conference</i> MOTION to Continue Trial MOTION to Continue Trial filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 08/15/2006)
08/15/2006	<a href="#">277</a>	CERTIFICATE OF SERVICE by Body Firm Aerobics of (1) Defendant's 1st Supplemental Response to EEOC's 1st Request for Production of Documents, and (2) Defendant's 1st Supplemental Answer to Plaintiff-Intervenor's 1st Set of Interrogatories (Balmforth, Kathryn) (Entered: 08/15/2006)
08/15/2006	<a href="#">279</a>	STIPULATED PROTECTIVE ORDER. Signed by Judge Samuel Alba on 8/15/06. (asp, ) (Entered: 08/16/2006)
08/16/2006	278	<b>NOTICE OF HEARING ON MOTION</b> re: <a href="#">270</a> MOTION for Protective Order Pursuant to Rule 26(c)(6), along with previously noticed motions: Motion Hearing set for 8/29/2006 10:30 a.m. in Courtroom 248 before Magistrate Judge Samuel Alba. (cas) (Entered: 08/16/2006)
08/16/2006	<a href="#">280</a>	CERTIFICATE OF SERVICE by Body Firm Aerobics of Defendant's Second Supplemental Answers to Plaintiff-Intervenor's First Set of Interrogatories (Balmforth, Kathryn) (Entered: 08/16/2006)
08/17/2006	<a href="#">281</a>	REPLY to Response to Motion re <a href="#">270</a> MOTION for Protective Order Pursuant to Rule 26(c)(6) filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Appendix Unpublished Cases)(Balmforth, Kathryn) (Entered: 08/17/2006)
08/23/2006	<a href="#">282</a>	REPLY to Response to Motion re <a href="#">268</a> MOTION for Entry of Judgment filed by Intervenor Plaintiff Andrea Liender. (Attachments: # <a href="#">1</a> Exhibit Partial Transcript Hearing on Jan 24, 2006)(McGarry, Lisa) (Entered: 08/23/2006)
08/25/2006	<a href="#">283</a>	Proposed Exhibit List (Defendant's Rule 26(a)(3) Pretrial Disclosures) by Defendant Body Firm Aerobics.. (Balmforth, Kathryn) (Entered: 08/25/2006)
08/25/2006	<a href="#">284</a>	Proposed Witness List by Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 08/25/2006)
08/25/2006	<a href="#">285</a>	REPLY to Response to Motion re <a href="#">273</a> MOTION to Expedite Trial <i>Status Conference</i> MOTION to Continue Trial MOTION to Continue Trial filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (McGarry, Lisa) (Entered: 08/25/2006)
08/25/2006	<a href="#">286</a>	Proposed Witness List by Equal Employment Opportunity Commission, Andrea Liender. (Shanley, Sally) (Entered: 08/25/2006)
08/29/2006	<a href="#">287</a>	ORDER granting <a href="#">273</a> MOTION to Expedite <i>Status Conference</i> MOTION to Continue Trial. Trial date is stricken. <b>Status Conference set for 9/6/2006 03:30 PM before Judge Tena Campbell.</b> Signed by Judge Tena Campbell on 8/29/06 (alt) (Entered: 08/29/2006)
08/29/2006	292	Minute Entry for proceedings held before Judge Samuel Alba. After hearing from counsel, Court finds that the motion to compel as it relates to Mr. Cherrington is moot. Court granted the <a href="#">222</a> Motion to Compel responses to outstanding discovery and exclude evidence. Defendant counsel are to provide the backup

		<p>documents by 12:00pm on 8/30/06. Management contracts do not need to be produced if they do not exist. Court ordered that tax returns for entities that existed while Ms. Leander was employed are to be produced. The relevant period is 1999-present. Profit and loss statements are also to be produced. The records of all prior employees who were discharged are to be provided by 9/8/06 at 4:00pm. Court granted in part and denied in part the <a href="#">229</a> MOTION to Take Deposition from Rusty Hurd and Kandi Negrette Counsels request to depose Mr. Hurd is denied and granted as to Ms. Negrette. Ms. Negrettes deposition is to be taken by 9/8/06. Mr. Hobbs to prepare an order. Defendants filed a motion for a protective order relating to certain portions of depositions that have been taken. This order was granted as it relates to pages 69-72 of the deposition taken 8/29, and pages 38-43 of the deposition taken 7/26 of Mr. Lilibrant. The order was also granted as to pages 28-35 of the 30(b)(6) depositions taken on 7/26. This order does not prevent plaintiff from contacting witnesses. This information is not to be made public or used in any court filings. Ms. Balmforth to prepare an order. Court addressed the letter submitted by defense counsel re: in camera review of documents submitted by Ms. Shanley. Court ordered EEOC to disclose these documents to the defenddants for purposes of this litigation only by 9/8/06. This is to be done under a court order. Documents were returned to Ms. Shanley. Court denied the motion to continue the trial, Counsel may contact Judge Campbell regarding a continuance. Court ordered that the sanctions imposed on defense counsel by the court on 1/24/06 are to be paid to Mr. Hobbs by 9/8/06 at 4:00pm. Written Order to follow oral order: Yes. Attorney for Plaintiff: Sally Shanley Lincoln Hobbs, Attorney for Defendant Katherine Balmforth. Court Reporter: Electronic.(Time Start: 8:50, Time End: 57:41, Room 248.) (ss, ) (Entered: 09/15/2006)</p>
09/06/2006	288	<p>Minute Entry for proceedings held before Judge Tena Campbell : Status Conference held on 9/6/2006. The Court hears oral argument on the pending motion. Dft's cnsl will file their objection to the Magistrate Order by 9/20/2006; Pla will file response by 9/27/2006; Dft's reply is due on 10/5/2006. A Motion Hearing set for 10/16/2006 at 2:30 PM in Room 230 before Judge Tena Campbell. A first place 5 day jury trial is set for 4/16/2007 at 8:30 a.m. A final pretrial conference is set for 3/22/2007 at 2:30 p.m. An order will be issued. Attorney for Plaintiff: Sally Shanley, Lincoln Hobbs, Lisa McGarry, Attorney for Defendant Kathryn Balmforth, Mary Anne Wood. Court Reporter: Ray Fenlon.(mjm) (Entered: 09/07/2006)</p>
09/08/2006	<a href="#">289</a>	<p>CERTIFICATE OF SERVICE by Body Firm Aerobics of <i>Defendant's First Supplementation of its Answers to Plaintiff's First Set of Interrogatories</i> (Balmforth, Kathryn) (Entered: 09/08/2006)</p>
09/11/2006	<a href="#">290</a>	<p>WRITTEN ORDER following [288] Status Conference, setting Motion Hearing and Trial Deadlines (oral order of 9/6/06). Signed by Judge Tena Campbell on 9/11/06 (alt) (Entered: 09/11/2006)</p>
09/13/2006	<a href="#">291</a>	<p>CERTIFICATE OF SERVICE by Body Firm Aerobics of <i>Protective Order Pursuant to Rule 26(c)(6)</i> (Balmforth, Kathryn) (Entered: 09/13/2006)</p>
09/18/2006		<p><b>Set/Reset Hearings:</b> Final Pretrial Conference set for 3/22/2007 AT 2:30 PM in Room 230 before Judge Tena Campbell. First Place 5 Day Jury Trial set for 4/16/2007 at 8:30 AM in Room 230 before Judge Tena Campbell. (mjm, )</p>



		(Entered: 09/18/2006)
09/19/2006	<a href="#">293</a>	MOTION to Set Aside <a href="#">262</a> Order & Memorandum Decision on Motion for Partial Summary Judgment filed by Intervenor Plaintiff Andrea Liender (alt) (Entered: 09/20/2006)
09/19/2006	<a href="#">294</a>	<b>**SEALED DOCUMENT**</b> SEALED MEMORANDUM IN SUPPORT re: <a href="#">293</a> MOTION to Set Aside <a href="#">262</a> Order & Memorandum Decision on Motion for Partial Summary Judgment filed by Intervenor Plaintiff Andrea Liender (Attachments: # (1) Appendix 1, #(2) Exhibits 1-2, #(3) Exhibits 3-14)(alt) (Entered: 09/20/2006)
09/20/2006	<a href="#">295</a>	OBJECTIONS to [292] Order on Motion to Compel,,,,,,,,, Order on Motion to Take Deposition,,,,,,,,, Motion Hearing,,,,,,,,, [ <i>Specifically Objecting to Magistrate's Order to Produce Tax Returns</i> ] filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Minute Entry for hearing held August 29, 2006)(Balmforth, Kathryn) (Entered: 09/20/2006)
09/20/2006	<a href="#">296</a>	OBJECTIONS to [292] Order on Motion to Compel,,,,,,,,, Order on Motion to Take Deposition,,,,,,,,, Motion Hearing,,,,,,,,, [ <i>Specifically Objecting to Magistrate's Order Regarding Payment of Sanctions</i> ] filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 09/20/2006)
09/27/2006	<a href="#">297</a>	RESPONSE re <a href="#">295</a> Objections,, <i>re Tax Returns</i> filed by Plaintiff Equal Employment Opportunity Commission. (Shanley, Sally) (Entered: 09/27/2006)
09/27/2006	<a href="#">298</a>	RESPONSE <i>Defendant's Objection to Magistrate's Order Regarding Payment of Sanctions</i> filed by Intervenor Plaintiff Andrea Liender. (Attachments: # <a href="#">1</a> Affidavit of Lisa McGarry)(McGarry, Lisa) (Entered: 09/27/2006)
10/03/2006	<a href="#">299</a>	REPLY BRIEF re <a href="#">295</a> Objections, ( <i>to Magistrate's Order to Produce Tax Returns</i> ) filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 10/03/2006)
10/03/2006	<a href="#">300</a>	REPLY BRIEF re <a href="#">296</a> Objections, ( <i>to Magistrate's Order Regarding Payment of Sanctions</i> ) filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 10/03/2006)
10/06/2006	<a href="#">301</a>	MEMORANDUM in Opposition re <a href="#">293</a> MOTION to Set Aside <a href="#">262</a> Memorandum Decision,,,, Order on Motion for Partial Summary Judgment,,,,,,,,, Order on Motion to Strike,,,, Order on Motion for Leave to File Excess Pages,,,, Order on Motion for Extension of Time,,,, filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Juarez v. Utah Dept. of Health, 2006 WL 2623905 (D. Utah)# <a href="#">2</a> Exhibit B - Zelnick v. Fashion Institute of Technology, 2006 WL 2623923 (2nd Cir.)# <a href="#">3</a> Exhibit C (Part 1) - Carmellino v. District 20, New York City Dept. of Educ., 2006 WL 2583019 (S.D.N.Y.)# <a href="#">4</a> Exhibit C (Part 2) - Carmellino v. District 20, New York City Dept. of Educ., 2006 WL 2583019 (S.D.N.Y.)# <a href="#">5</a> Exhibit D - Devin v. Schwan's Home Service, Inc., 2006 WL 2590611 (D.Minn.)# <a href="#">6</a> Exhibit E - Beaumont v. Texas Dept. of Criminal Justice, 2006 WL 2642606 (E.D.Tex.)# <a href="#">7</a> Exhibit F - Gomez v. Laidlaw Transit, Inc., 2006 WL 2806591 (D.Conn.)# <a href="#">8</a> Exhibit G - Norris v. Principi, 2006 WL 2355591 (N.D.Ill.)# <a href="#">9</a> Exhibit H - Murry v. Gonzales, 2006 WL 2506963 (M.D.Fla.)# <a href="#">10</a> Exhibit I - Breech v. Scioto County Regional Water Dist. #1, 2006 WL 2422924 (S.D.Ohio)# <a href="#">11</a> Exhibit J - Deters v. Rock Tenn Co.,

		Inc., 2006 WL 2711683 (S.D.Ohio)# <a href="#">12</a> Exhibit K - Molina v. Equistar Chemicals, L.P., 2006 WL 1851834 (S.D.Tex.)# <a href="#">13</a> Exhibit L - Cited pages of Deposition of Ronald O. Littlebrant# <a href="#">14</a> Exhibit M - Cited pages of Deposition of Mary Littlebrant)(Balmforth, Kathryn) (Entered: 10/06/2006)
10/09/2006	<a href="#">302</a>	ERRATA to <a href="#">301</a> Memorandum in Opposition to Motion filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit N - Cited page of Deposition of Andrea Liender)(Balmforth, Kathryn) Modified on 10/10/2006: added link to related motion <a href="#">293</a> (alt) (Entered: 10/09/2006)
10/09/2006	303	Modification of Docket: Error: Document was not linked to related motion. Correction: created link to motion <a href="#">293</a> , re: <a href="#">302</a> Errata (alt) (Entered: 10/10/2006)
10/11/2006	<a href="#">304</a>	WRITTEN PROTECTIVE ORDER PURSUANT TO RULE 26(c)(6) (depositions) following ruling of [292] Minute Entry (oral order of 8/29/06). Signed by Judge Samuel Alba on 10/11/06 (alt) (Entered: 10/12/2006)
10/16/2006	306	Minute Entry for proceedings held before Judge Tena Campbell : Miscellaneous Hearing held on 10/16/2006. The Court hears the objections filed to the order of Magistrate Judge Alba's minute entry #292, which was followed by written order #304. The Court affirms both orders of Judge Alba. Mr. Hobbs will prepare and submit an order, after submitting order to opposing cnsl to approve as to form. Attorney for Plaintiff: Sally Shanley; Intv Pla- Lincoln Hobbs, Lisa McGarry, Attorney for Defendant Kathryn Balmforth. Court Reporter: Ray Fenlon.(mjm) (Entered: 11/29/2006)
10/19/2006	<a href="#">305</a>	ORDER denying <a href="#">293</a> Motion to Set Aside <a href="#">262</a> Order & Memorandum Decision. Signed by Judge Tena Campbell on 10/19/06 (alt) (Entered: 10/19/2006)
12/14/2006	<a href="#">307</a>	ORDER AFFIRMING MAGISTRATE SAMUEL ALBAS RULINGS re: [292] Minute Entry. Signed by Judge Tena Campbell on 12/14/06 (alt) (Entered: 12/14/2006)
01/12/2007	<a href="#">308</a>	MOTION for Admission Pro Hac Vice of T. Diana Chen (no registration fee required) filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Sorenson, Stephen) (Entered: 01/12/2007)
01/12/2007	<a href="#">309</a>	MOTION to Withdraw as Attorney filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> ) Motions referred to Samuel Alba.(Christensen, Carlie) (Entered: 01/12/2007)
01/12/2007	<a href="#">311</a>	ORDER granting <a href="#">308</a> Motion for Admission Pro Hac Vice of T. Diana Chen for Equal Employment Opportunity Commission. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at http://www.utd.uscourts.gov.</i> Signed by Judge Tena Campbell on 1/12/07 (alt) (Entered: 01/16/2007)
01/16/2007	<a href="#">310</a>	ORDER granting <a href="#">309</a> Motion to Withdraw as Attorney. Attorney Carlie Christensen withdrawn from case for Equal Employment Opportunity Commission. Signed by Judge Samuel Alba on 01/16/07. (rlr) (Entered: 01/16/2007)

02/22/2007	<a href="#">312</a>	TRIAL ORDER with instructions to counsel: 5-day Jury Trial set for 4/16/2007 08:30 AM before Judge Tena Campbell; Final Pretrial Conference set for 3/22/2007 02:30 PM before Judge Tena Campbell; In Chambers Conference set for 4/16/2007 08:00 AM before Judge Tena Campbell. Signed by Judge Tena Campbell on 2/21/07 (alt) (Entered: 02/22/2007)
03/16/2007	<a href="#">313</a>	Proposed Exhibit List ( <i>Defendant's Final Pretrial Disclosures</i> ) by Defendant Body Firm Aerobics.. (Wood, Mary Anne) (Entered: 03/16/2007)
03/16/2007	<a href="#">314</a>	Proposed Witness List ( <i>Defendant's Final Pretrial Disclosures</i> ) by Body Firm Aerobics. (Wood, Mary Anne) (Entered: 03/16/2007)
03/16/2007	<a href="#">315</a>	Proposed Exhibit List ( <i>Plaintiffs' Final Pretrial Disclosures</i> ) by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender.. (Chen, T.) (Entered: 03/16/2007)
03/16/2007	<a href="#">316</a>	Proposed Witness List ( <i>Plaintiffs' Final Pretrial Disclosures</i> ) by Equal Employment Opportunity Commission, Andrea Liender. (Chen, T.) (Entered: 03/16/2007)
03/22/2007	317	Minute Entry for proceedings held before Judge Tena Campbell : Final Pretrial Conference held on 3/22/2007. Cnsl indicate the case is still on track for trial, which is set for 5 day jury trial on 4/16/2007 at 8:30 a.m. The Court will hear pending motions in limine on 4/13/2007 at 2:30 PM. Cnsl will file final pretrial order by Tuesday, 03/27/2007. Cnsl will contact the Court if the case settles. Attorney for Plaintiff: Diana Chen, Lucila Rosas, Lincoln Hobbs, Lisa McGarry, Attorney for Defendant Mary Anne Wood, Kathryn Balmforth. Court Reporter: Ray Fenlon.(mjm) (Entered: 03/23/2007)
03/29/2007	<a href="#">318</a>	Joint MOTION to Compel Identification of Trial Exhibits filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Attachments: # <a href="#">1</a> Attachment A) Motions referred to Samuel Alba.(Rosas, Lucila) (Entered: 03/29/2007)
03/29/2007	<a href="#">320</a>	PRETRIAL ORDER: 5-Day Jury Trial set for 4/16/2007 08:30 AM before Judge Tena Campbell. Signed by Judge Tena Campbell on 3/29/07 (alt) (Entered: 03/30/2007)
03/30/2007	<a href="#">319</a>	RESPONSE to Motion re <a href="#">318</a> Joint MOTION to Compel Identification of Trial Exhibits filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit Email dated March 29, 2007)(Wood, Mary Anne) (Entered: 03/30/2007)
03/30/2007	<a href="#">321</a>	OBJECTIONS to <a href="#">316</a> Witness List(Proposed) ( <i>Plaintiff's Final Disclosures</i> ) filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 03/30/2007)
03/30/2007	<a href="#">322</a>	OBJECTIONS to <a href="#">313</a> Exhibit List(Proposed) filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Shanley, Sally) (Entered: 03/30/2007)
04/02/2007	<a href="#">323</a>	NOTICE of Appearance by Rachel A. Asbury on behalf of Body Firm Aerobics (Asbury, Rachel) (Entered: 04/02/2007)
04/02/2007	<a href="#">324</a>	Proposed Voir Dire by Defendant Body Firm Aerobics. (Wood, Mary Anne) (Entered: 04/02/2007)

04/02/2007	<a href="#">325</a>	CERTIFICATE OF SERVICE by Body Firm Aerobics of <i>Proposed Special Verdict Form and Proposed Jury Instructions</i> (Wood, Mary Anne) (Entered: 04/02/2007)
04/02/2007	<a href="#">326</a>	REPLY to Response to Motion re <a href="#">318</a> Joint MOTION to Compel Identification of Trial Exhibits filed by Plaintiff Equal Employment Opportunity Commission. (Rosas, Lucila) (Entered: 04/02/2007)
04/02/2007	<a href="#">327</a>	Proposed Voir Dire by Plaintiff Equal Employment Opportunity Commission. (Rosas, Lucila) (Entered: 04/02/2007)
04/02/2007	<a href="#">328</a>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>Proposed Jury Instructions and Proposed Special Verdict Form</i> (Rosas, Lucila) (Entered: 04/02/2007)
04/03/2007	<a href="#">329</a>	NOTICE of Notice of Mailing of Jury Instructions and Special Verdict Form by Equal Employment Opportunity Commission (Chen, T.) (Entered: 04/03/2007)
04/06/2007	<a href="#">330</a>	Emergency MOTION to Continue Trial Due to Illness of Lead Counsel filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order) Motions referred to Samuel Alba.(Shanley, Sally) (Entered: 04/06/2007)
04/06/2007	<a href="#">331</a>	MOTION to Expedite Ruling on Emergency Motion (Doc. 330) filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order) Motions referred to Samuel Alba.(Shanley, Sally) (Entered: 04/06/2007)
04/06/2007	<a href="#">332</a>	MEMORANDUM in Opposition re <a href="#">330</a> Emergency MOTION to Continue Trial Due to Illness of Lead Counsel filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/06/2007)
04/09/2007	333	DOCKET TEXT ORDER denying <a href="#">330</a> Motion to Continue; finding as moot <a href="#">331</a> Motion to Expedite. So Ordered by Judge Tena Campbell on 4/9/07 (No document image will be attached) (alt) (Entered: 04/09/2007)
04/09/2007	<a href="#">334</a>	MOTION in Limine <i>Regarding Witness Rona Hill</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">335</a>	MEMORANDUM in Support re <a href="#">334</a> MOTION in Limine <i>Regarding Witness Rona Hill</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Declaration of Rona Hill in Support of Motion in Limine)(Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">336</a>	MOTION in Limine <i>to Defer Consideration of "Class" Claim</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">337</a>	MEMORANDUM in Support re <a href="#">336</a> MOTION in Limine <i>to Defer Consideration of "Class" Claim</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Conciliation Letter from Dana Auzenne to Brian C. Harrison dated June 18, 2003)(Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">338</a>	MOTION in Limine <i>to Exclude Any Evidence Regarding the EEOC's Investigation</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)



04/09/2007	<a href="#">339</a>	MEMORANDUM in Support re <a href="#">338</a> MOTION in Limine <i>to Exclude Any Evidence Regarding the EEOC's Investigation</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Plaintiff EEOC's Motion for Protective Order# <a href="#">2</a> Exhibit B - Plaintiff EEOC's Reply Re Motion for Protective Order# <a href="#">3</a> Exhibit C - Order (re Motion for Protective Order))(Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">340</a>	Proposed Jury Instructions by Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">341</a>	MOTION in Limine <i>to Exclude the Testimony of Andrea Liender's and Erin Allen's Relatives and Friends</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">342</a>	MEMORANDUM in Support re <a href="#">341</a> MOTION in Limine <i>to Exclude the Testimony of Andrea Liender's and Erin Allen's Relatives and Friends</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Plaintiff EEOC's Reply Re Motion for Protective Order)(Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">343</a>	MOTION in Limine filed by Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 04/09/2007)
04/09/2007	<a href="#">344</a>	MOTION in Limine <i>to Exclude the Testimony of Undisclosed Witnesses</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) Modified on 4/10/2007: removed text relating to motion to quash (alt) (Entered: 04/09/2007)
04/09/2007	<a href="#">345</a>	MEMORANDUM in Support re <a href="#">343</a> MOTION in Limine filed by Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 04/09/2007)
04/09/2007	<a href="#">346</a>	MEMORANDUM in Support re <a href="#">344</a> MOTION in Limine <i>to Exclude the Testimony of Undisclosed Witnesses</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) Modified on 4/10/2007: removed text referring to motion to quash (alt) (Entered: 04/09/2007)
04/09/2007	<a href="#">347</a>	MOTION to Quash Subpoenas filed by Defendant Body Firm Aerobics. Motions referred to Samuel Alba.(Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">348</a>	MEMORANDUM in Support re <a href="#">347</a> MOTION to Quash Subpoenas filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">349</a>	MOTION in Limine <i>to Exclude Any Evidence of the Physical Altercation, the Misdemeanor Assault Charge, and the Lawsuit Brought Against Troy C. Peterson</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">350</a>	MEMORANDUM in Support re <a href="#">349</a> MOTION in Limine <i>to Exclude Any Evidence of the Physical Altercation, the Misdemeanor Assault Charge, and the Lawsuit Brought Against Troy C. Peterson</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">351</a>	MOTION in Limine <i>re Commission Investigation</i> filed by Plaintiff Equal Employment Opportunity Commission. (Shanley, Sally) (Entered: 04/09/2007)

04/09/2007	<a href="#">352</a>	Proposed Jury Instructions by Equal Employment Opportunity Commission. (Chen, T.) (Entered: 04/09/2007)
04/09/2007	<a href="#">353</a>	MOTION to Equalize Peremptory Challenges Pursuant to 28 U.S.C. Sec. 1870 filed by Defendant Body Firm Aerobics. Motions referred to Samuel Alba.(Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">354</a>	MEMORANDUM in Support re <a href="#">353</a> MOTION to Equalize Peremptory Challenges Pursuant to 28 U.S.C. Sec. 1870 filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">355</a>	Amended MEMORANDUM in Support re <a href="#">349</a> MOTION in Limine <i>to Exclude Any Evidence of the Physical Altercation, the Misdemeanor Assault Charge, and the Lawsuit Brought Against Troy C. Peterson</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">356</a>	<b>**SEALED**</b> MOTION in Limine <i>to Exclude Evidence Regarding Private Actions of Kandi Negrete</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) Modified on 4/13/2007: SEALED per order from bench (alt) (Entered: 04/09/2007)
04/09/2007	<a href="#">357</a>	<b>**SEALED**</b> MEMORANDUM in Support re [356] MOTION in Limine <i>to Exclude Evidence Regarding Private Actions of Kandi Negrete</i> filed by Defendant Body Firm Aerobics. (Attachments: # (1) Exhibit A - Excerpts from Deposition of Kandi Negrete)(Balmforth, Kathryn) Modified on 4/16/2007: document SEALED per instruction from bench on 4/13/07 (alt) (Entered: 04/09/2007)
04/09/2007	<a href="#">358</a>	MOTION in Limine <i>to Exclude Evidence Regarding Ron Littlebrant's Alleged "Meanness"</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">359</a>	MOTION in Limine <i>re Conciliation</i> filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit 1 - 5)(Shanley, Sally) (Entered: 04/09/2007)
04/09/2007	<a href="#">360</a>	MEMORANDUM in Support re <a href="#">358</a> MOTION in Limine <i>to Exclude Evidence Regarding Ron Littlebrant's Alleged "Meanness"</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Excerpts from Deposition of Erin Allen# <a href="#">2</a> Exhibit B - Excerpts from Deposition of Shannon Viertel McCarty# <a href="#">3</a> Exhibit C - Excerpts from Deposition of Troy Viertel# <a href="#">4</a> Exhibit D - Excerpts from Deposition of Rhonda Hillam# <a href="#">5</a> Exhibit E - Excerpts from Deposition of Laura Aston# <a href="#">6</a> Exhibit F - Rona Hill Statement# <a href="#">7</a> Exhibit G - April Miller Statement# <a href="#">8</a> Exhibit H - Chelsea Powell Statement# <a href="#">9</a> Exhibit I - Erin Allen Statement)(Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">361</a>	MOTION in Limine <i>to Exclude Evidence Relating to Alleged Acts Occurring or Statements Made Subsequent to May 16, 2001</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">362</a>	MEMORANDUM in Support re <a href="#">361</a> MOTION in Limine <i>to Exclude Evidence Relating to Alleged Acts Occurring or Statements Made Subsequent to May 16, 2001</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Excerpts from Deposition of Andrea Liender)(Balmforth, Kathryn) (Entered: 04/09/2007)

		04/09/2007)
04/09/2007	<a href="#">363</a>	<b>**SEALED**</b> MOTION in Limine <i>to Exclude Testimony Regarding Thad Littlebrant</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) Modified on 4/16/2007: document SEALED per instruction from bench on 4/13/07 (alt) (Entered: 04/09/2007)
04/09/2007	<a href="#">364</a>	<b>**SEALED**</b> MEMORANDUM in Support re <a href="#">363</a> MOTION in Limine <i>to Exclude Testimony Regarding Thad Littlebrant</i> filed by Defendant Body Firm Aerobics. (Attachments: # (1) Exhibit A - Excerpts from Deposition of Erin Allen)(Balmforth, Kathryn) Modified on 4/16/2007: document SEALED per instruction from bench on 4/13/07 (alt) (Entered: 04/09/2007)
04/09/2007	<a href="#">365</a>	MOTION in Limine <i>to Exclude Evidence Regarding Complaints or Behavior of Which Andrea Liender was Unaware</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">366</a>	MEMORANDUM in Support re <a href="#">365</a> MOTION in Limine <i>to Exclude Evidence Regarding Complaints or Behavior of Which Andrea Liender was Unaware</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">367</a>	MOTION in Limine <i>to Exclude Evidence Regarding Irrelevant Time Periods and Irrelevant Gold's Gym Franchises</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">368</a>	MEMORANDUM in Support re <a href="#">367</a> MOTION in Limine <i>to Exclude Evidence Regarding Irrelevant Time Periods and Irrelevant Gold's Gym Franchises</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">369</a>	MOTION in Limine <i>to Limit Examination of Witnesses to One Attorney Per Side</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">370</a>	MEMORANDUM in Support re <a href="#">369</a> MOTION in Limine <i>to Limit Examination of Witnesses to One Attorney Per Side</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">371</a>	MOTION in Limine <i>to Require Plaintiffs to Refer to Defendant by its Proper Name</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	<a href="#">372</a>	MEMORANDUM in Support re <a href="#">371</a> MOTION in Limine <i>to Require Plaintiffs to Refer to Defendant by its Proper Name</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/09/2007)
04/09/2007	376	Modification of Docket: Error: Filer caught own error regarding 2-part motion and so filed the motion again as a Motion to Quash <a href="#">347</a> so that the judge can rule on the two reliefs separately if necessary. Correction: Text that referred to the motion to quash has been removed from the entries filed as to the Motion in Limine, re: <a href="#">344</a> MOTION in Limine <i>to Exclude the Testimony of Undisclosed Witnesses</i> , <a href="#">346</a> Memorandum in Support of Motion (alt) (Entered: 04/10/2007)
04/10/2007	<a href="#">373</a>	Proposed Jury Instructions by Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/10/2007)

04/10/2007	<a href="#">374</a>	RESPONSE to Motion re <a href="#">336</a> MOTION in Limine to <i>Defer Consideration of "Class" Claim</i> filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibits 1 - 3)(Shanley, Sally) (Entered: 04/10/2007)
04/10/2007	<a href="#">375</a>	RESPONSE to Motion re <a href="#">338</a> MOTION in Limine to <i>Exclude Any Evidence Regarding the EEOC's Investigation</i> filed by Plaintiff Equal Employment Opportunity Commission. (Shanley, Sally) (Entered: 04/10/2007)
04/10/2007	<a href="#">377</a>	RESPONSE to Motion re <a href="#">371</a> MOTION in Limine to <i>Require Plaintiffs to Refer to Defendant by its Proper Name</i> filed by Plaintiff Equal Employment Opportunity Commission. (Shanley, Sally) (Entered: 04/10/2007)
04/11/2007	<a href="#">378</a>	MOTION to Seal re [357] Memorandum in Support of Motion, [356] MOTION in Limine to <i>Exclude Evidence Regarding Private Actions of Kandi Negrete</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Text of Proposed Order Order on Motion to Seal) Motions referred to Samuel Alba.(Balmforth, Kathryn) (Entered: 04/11/2007)
04/11/2007	<a href="#">379</a>	MOTION to Seal re [364] Memorandum in Support of Motion, [363] MOTION in Limine to <i>Exclude Testimony Regarding Thad Littlebrant</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Text of Proposed Order Order on Motion to Seal) Motions referred to Samuel Alba.(Balmforth, Kathryn) (Entered: 04/11/2007)
04/11/2007	<a href="#">380</a>	Amended MOTION in Limine to <i>Exclude Evidence Regarding Private Actions of Kandi Negrete</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/11/2007)
04/11/2007	<a href="#">381</a>	Amended MEMORANDUM in Support re <a href="#">380</a> Amended MOTION in Limine to <i>Exclude Evidence Regarding Private Actions of Kandi Negrete</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/11/2007)
04/11/2007	<a href="#">382</a>	Amended MOTION in Limine to <i>Exclude Testimony Regarding Thad Littlebrant</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/11/2007)
04/11/2007	<a href="#">383</a>	Amended MEMORANDUM in Support re <a href="#">382</a> Amended MOTION in Limine to <i>Exclude Testimony Regarding Thad Littlebrant</i> filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/11/2007)
04/11/2007	<a href="#">384</a>	NOTICE of Appearance by Julie Ladle on behalf of Andrea Liender (Ladle, Julie) (Entered: 04/11/2007)
04/11/2007	<a href="#">385</a>	RESPONSE to Motion re [363] MOTION in Limine to <i>Exclude Testimony Regarding Thad Littlebrant</i> , <a href="#">349</a> MOTION in Limine to <i>Exclude Any Evidence of the Physical Altercation, the Misdemeanor Assault Charge, and the Lawsuit Brought Against Troy C. Peterson</i> , [356] MOTION in Limine to <i>Exclude Evidence Regarding Private Actions of Kandi Negrete</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Shanley, Sally) (Entered: 04/11/2007)
04/11/2007	<a href="#">386</a>	Proposed Jury Instructions by Equal Employment Opportunity Commission, Andrea Liender. (Chen, T.) (Entered: 04/11/2007)



04/11/2007	<a href="#">387</a>	MOTION to Quash Subpoenas filed by Defendant Body Firm Aerobics. Motions referred to Samuel Alba.(Balmforth, Kathryn) (Entered: 04/11/2007)
04/11/2007	<a href="#">388</a>	MEMORANDUM in Support re <a href="#">387</a> MOTION to Quash Subpoenas filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/11/2007)
04/11/2007	<a href="#">389</a>	MOTION to Equalize Time for Presentation of Cases filed by Defendant Body Firm Aerobics. Motions referred to Samuel Alba.(Balmforth, Kathryn) (Entered: 04/11/2007)
04/11/2007	<a href="#">390</a>	MEMORANDUM in Support re <a href="#">389</a> MOTION to Equalize Time for Presentation of Cases filed by Defendant Body Firm Aerobics. (Balmforth, Kathryn) (Entered: 04/11/2007)
04/11/2007	<a href="#">391</a>	RESPONSE to Motion re <a href="#">365</a> MOTION in Limine <i>to Exclude Evidence Regarding Complaints or Behavior of Which Andrea Liender was Unaware</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Chen, T.) (Entered: 04/11/2007)
04/11/2007	<a href="#">392</a>	RESPONSE to Motion re <a href="#">341</a> MOTION in Limine <i>to Exclude the Testimony of Andrea Liender's and Erin Allen's Relatives and Friends</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 04/11/2007)
04/11/2007	<a href="#">393</a>	MEMORANDUM in Opposition re <a href="#">369</a> MOTION in Limine <i>to Limit Examination of Witnesses to One Attorney Per Side</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 04/11/2007)
04/11/2007	<a href="#">394</a>	RESPONSE to Motion re <a href="#">361</a> MOTION in Limine <i>to Exclude Evidence Relating to Alleged Acts Occurring or Statements Made Subsequent to May 16, 2001</i> , <a href="#">358</a> MOTION in Limine <i>to Exclude Evidence Regarding Ron Littlebrant's Alleged "Meanness"</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 04/11/2007)
04/11/2007	<a href="#">395</a>	RESPONSE to Motion re <a href="#">353</a> MOTION to Equalize Peremptory Challenges Pursuant to 28 U.S.C. Sec. 1870 filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 04/11/2007)
04/11/2007	<a href="#">396</a>	RESPONSE to Motion re <a href="#">344</a> MOTION in Limine <i>to Exclude the Testimony of Undisclosed Witnesses</i> , <a href="#">347</a> MOTION to Quash Subpoenas filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 04/11/2007)
04/11/2007	<a href="#">397</a>	RESPONSE to Motion re <a href="#">389</a> MOTION to Equalize Time for Presentation of Cases, <a href="#">387</a> MOTION to Quash Subpoenas filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Attachments: # <a href="#">1</a> Exhibit Letter 03-28-07 Chen to wood# <a href="#">2</a> Exhibit emails 03-27 to 03-29 chen& wood)(Hobbs, Lincoln) (Entered: 04/11/2007)
04/11/2007	<a href="#">398</a>	DECLARATION of Lincoln W. Hobbs filed by Equal Employment Opportunity Commission, Andrea Liender. (Hobbs, Lincoln) (Entered: 04/11/2007)

04/12/2007	<a href="#">399</a>	MEMORANDUM in Opposition re <a href="#">334</a> MOTION in Limine <i>Regarding Witness Rona Hill</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Attachments: # <a href="#">1</a> Exhibit Rona Hill UALD Charge Sheet# <a href="#">2</a> Exhibit 04-30-02 Hobbs letter to EEOC)(Hobbs, Lincoln) (Entered: 04/12/2007)
04/12/2007	<a href="#">400</a>	Proposed Jury Verdict by Defendant Body Firm Aerobics. (Wood, Mary Anne) (Entered: 04/12/2007)
04/12/2007	<a href="#">401</a>	MEMORANDUM in Opposition re <a href="#">343</a> MOTION in Limine <i>to Exclude Inquiries and References to Religion or Religious Beliefs</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Cited pages of Andrea Liender's Deposition# <a href="#">2</a> Exhibit B - Deposition of Ronda Hillam)(Balmforth, Kathryn) (Entered: 04/12/2007)
04/12/2007	<a href="#">402</a>	MEMORANDUM in Opposition re <a href="#">359</a> MOTION in Limine <i>re Conciliation</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Cited pages of Paul Manget Deposition# <a href="#">2</a> Exhibit B - Letters from EEOC to Lincoln Hobbs requesting damages information# <a href="#">3</a> Exhibit C - Letter from Lincoln Hobbs to EEOC dated April 25, 2003)(Balmforth, Kathryn) (Entered: 04/12/2007)
04/12/2007	<a href="#">403</a>	Proposed Jury Verdict by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Chen, T.) (Entered: 04/12/2007)
04/12/2007	<a href="#">404</a>	RESPONSE to Motion re <a href="#">367</a> MOTION in Limine <i>to Exclude Evidence Regarding Irrelevant Time Periods and Irrelevant Gold's Gym Franchises</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Shanley, Sally) (Entered: 04/12/2007)
04/12/2007	<a href="#">405</a>	Amended MEMORANDUM in Opposition re <a href="#">359</a> MOTION in Limine <i>re Conciliation</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Cited pages of Paul Manget Deposition# <a href="#">2</a> Exhibit B - Letters from EEOC to Lincoln Hobbs requesting damages information# <a href="#">3</a> Exhibit C - Letter from Lincoln Hobbs to EEOC dated April 25, 2003# <a href="#">4</a> Exhibit D - Letters from EEOC to Body Firm employees)(Balmforth, Kathryn) (Entered: 04/12/2007)
04/12/2007	<a href="#">406</a>	MEMORANDUM in Opposition re <a href="#">351</a> MOTION in Limine <i>re Commission Investigation</i> filed by Defendant Body Firm Aerobics. (Attachments: # <a href="#">1</a> Exhibit A - Cited pages of Paul Manget Deposition# <a href="#">2</a> Exhibit B - Letters from EEOC to Lincoln Hobbs requesting damages information# <a href="#">3</a> Exhibit C - Letter from Lincoln Hobbs to EEOC dated April 25, 2003# <a href="#">4</a> Exhibit D - Letters from EEOC to Body Firm employees)(Balmforth, Kathryn) (Entered: 04/12/2007)
04/12/2007	<a href="#">407</a>	OBJECTIONS to <a href="#">386</a> Proposed Jury Instructions <i>of Plaintiffs</i> filed by Defendant Body Firm Aerobics. (Wood, Mary Anne) (Entered: 04/12/2007)
04/12/2007	<a href="#">408</a>	REPLY to Response to Motion re <a href="#">343</a> MOTION in Limine <i>to Exclude Religious Inquiries</i> filed by Intervenor Plaintiff Andrea Liender. (Hobbs, Lincoln) (Entered: 04/12/2007)
04/12/2007	<a href="#">409</a>	Proposed Exhibit List <i>Supplemental Rule 26(a)(3)</i> by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender.. (Hobbs, Lincoln) (Entered: 04/12/2007)

04/12/2007	<a href="#">410</a>	OBJECTIONS to <a href="#">373</a> Proposed Jury Instructions of <i>Defendant</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Andrea Liender. (Shanley, Sally) (Entered: 04/12/2007)
04/13/2007	411	<u>Minute Entry</u> re: proceedings held before Judge Tena Campbell: taking under advisement <a href="#">334</a> Motion in Limine; denying <a href="#">336</a> Motion in Limine (there will be no class certification); granting <a href="#">338</a> Motion in Limine; denying (w/cautions) <a href="#">341</a> Motion in Limine; granting <a href="#">343</a> Motion in Limine; granting in part and denying in part <a href="#">344</a> Motion in Limine; granting in part and denying in part <a href="#">347</a> Motion to Quash; granting (unless intertwined w/other evidence) <a href="#">349</a> Motion in Limine; granting <a href="#">351</a> Motion in Limine; granting in part denying in part <a href="#">353</a> Motion to Equalize Peremptory Challenges Pursuant to 28 U.S.C. Sec. 1870 (each side gets 5); granting (unless intertwined w/other evidence) <a href="#">358</a> Motion in Limine; granting <a href="#">359</a> Motion in Limine; granting <a href="#">361</a> Motion in Limine; granting <a href="#">365</a> Motion in Limine; granting (w/cautions) <a href="#">367</a> Motion in Limine; taking under advisement <a href="#">369</a> Motion in Limine; granting (w/cautions) <a href="#">371</a> Motion in Limine; granting <a href="#">378</a> Motion to Seal; granting <a href="#">379</a> Motion to Seal; granting <a href="#">380</a> Motion in Limine; granting <a href="#">382</a> Motion in Limine; denying <a href="#">387</a> Motion to Quash; denying <a href="#">389</a> Motion to Equalize Time for Presentation of Cases; Further instruction was given from the bench as to how the trial is to proceed. Counsel are to provide each other with a witness list at the end of each day, beginning with today. A written order will follow. Attorney for Plaintiff: Sally C. Shanley, T. Diana Chen; Attorney for Intervenor Plaintiff: Lincoln W. Hobbs, Lisa M. McGarry; Attorney for Defendant: Mary Anne Wood, Kathryn Balmforth, Rachel Asbury. Court Reporter: Raymond P. Fenlon (alt) Modified on 4/16/2007: changed ruling on motion #353 to granted in part denying in part (alt) (Entered: 04/13/2007)
04/13/2007	412	Modification of Docket: Error: ruling indicated in original minute entry for motion #353 was incorrect. Correction: changed ruling on motion #353 to 'granted in part denied in part', re: [411] Minute Entry on Motions in Limine (alt) (Entered: 04/16/2007)
04/16/2007	<a href="#">413</a>	WRITTEN ORDER FOLLOWING [411] Minute Entry on Motions in Limine (oral order of 4/13/07). Signed by Judge Tena Campbell on 4/13/07 (alt) (Entered: 04/16/2007)
04/16/2007	<a href="#">414</a>	WRITTEN ORDERS FOLLOWING [411] Minute Entry granting Motions to Seal (oral order of 4/13/07). Signed by Judge Tena Campbell on 4/13/07 (alt) (Entered: 04/16/2007)
04/30/2007	<a href="#">415</a>	ORDER ASSESSING JURY COSTS PER DUCivR 41-1: parties are to share the burden of the costs as follows: Plaintiff Equal Employment Opportunity Commission shall pay \$381.82; Plaintiff-Intervenor Andrea Liender shall pay \$381.82; and Defendant Body Firm Aerobics, Inc. d/b/a Golds Gym shall pay \$381.81. Signed by Judge Tena Campbell on 4/30/07 (alt) (Entered: 04/30/2007)
05/17/2007	<a href="#">416</a>	SETTLEMENT AGREEMENT by Plaintiff Equal Employment Opportunity Commission, Defendant Body Firm Aerobics, Intervenor Plaintiff Andrea Liender. (Attachments: # <a href="#">1</a> Text of Proposed Order # <a href="#">2</a> Attachment B Notice)(Rosas, Lucila) (Entered: 05/17/2007)

05/17/2007	<a href="#">417</a>	STIPULATION of Dismissal by Equal Employment Opportunity Commission, Body Firm Aerobics, Andrea Liender. (Attachments: # <a href="#">1</a> Text of Proposed Order Attachment A# <a href="#">2</a> Attachment B Notice)(Rosas, Lucila) (Entered: 05/17/2007)
05/21/2007	<a href="#">418</a>	ORDER DISMISSING CASE With Prejudice - CASE CLOSED. Judge Samuel Alba no longer assigned to case. Signed by Judge Tena Campbell on 5/21/07 (alt) (Entered: 05/22/2007)

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<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	2:03-cv-00846-TC
<b>Billable Pages:</b>	27	<b>Cost:</b>	2.16