

CLOSED

**Electronic Case Filing System**  
**District of Utah (Central)**  
**CIVIL DOCKET FOR CASE #: 2:04-cv-00923-DS**

EEOC v. Granite Mill Fixture  
Assigned to: Judge David Sam  
Demand: \$0  
Cause: 28:0451 Employment Discrimination

Date Filed: 09/30/2004  
Date Terminated: 12/06/2006  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Carlie Christensen**  
US ATTORNEY'S OFFICE (UT)  
SALT LAKE CITY, UT 00000  
(801)524-5682  
Email: Carlie.Christensen@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jan N. Allred**  
861 MAPLEWOOD DR  
IDAHO FALLS, ID 83401  
(208)552-1201  
*TERMINATED: 06/03/2005*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Mary Jo O'Neill**  
EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION (AZ)  
PHOENIX DISTRICT OFFICE  
3300 N CENTRAL AVE STE 690  
PHOENIX, AZ 85012-1848  
(602)640-5000  
Email: mary.oneill@eeoc.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**P. David Lopez**  
EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION  
PHOENIX DISTRICT OFFICE  
3300 N CENTRAL AVE STE 690  
PHOENIX, AZ 85012-1848  
(602)640-5000  
Email: patrick.lopez@eeoc.gov  
*TERMINATED: 06/03/2005*

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Sally C. Shanley**  
EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION (AZ)  
PHOENIX DISTRICT OFFICE  
3300 N CENTRAL AVE STE 690  
PHOENIX, AZ 85012-1848  
(602)640-5032  
Email: sally.shanley@eeoc.gov  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Scott Patrick Bates**  
LARRY H. MILLER GROUP  
LEGAL DEPT  
9350 S 150 E #1000  
SANDY, UT 84070  
(801)563-4143  
*TERMINATED: 01/27/2006  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**C. Emanuel Smith**  
EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION (AZ)  
PHOENIX DISTRICT OFFICE  
3300 N CENTRAL AVE STE 690  
PHOENIX, AZ 85012-1848  
(602)640-5000  
Email: emanuel.smith@eeoc.gov  
*TERMINATED: 04/06/2006  
ATTORNEY TO BE NOTICED*

**Karen E. Nutter**  
EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION  
PHOENIX DISTRICT OFFICE  
3300 N CENTRAL AVE STE 690  
PHOENIX, AZ 85012-1848  
(602)640-4773  
Email: karen.nutter@eeoc.gov  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Granite Mill & Fixture**  
*a Utah corporation*

represented by **Evan A. Schmutz**  
 HILL JOHNSON & SCHMUTZ LC  
 4844 N 300 W STE 300  
 PROVO, UT 84604  
 (801)375-6600  
 Email: easchmutz@hjslaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Curtis R. Hussey**  
 HILL JOHNSON & SCHMUTZ LC  
 4844 N 300 W STE 300  
 PROVO, UT 84604  
 (801)375-6600  
 Email: chussey@hjslaw.com  
**ATTORNEY TO BE NOTICED**

**William Kelly Nash**  
 HILL JOHNSON & SCHMUTZ LC  
 4844 N 300 W STE 300  
 PROVO, UT 84604  
 (801)375-6600  
 Email: knash@hjslaw.com  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/30/2004	<a href="#">1</a>	Complaint filed, assigned to Judge David Sam (kla) (Entered: 10/01/2004)
10/05/2004	<a href="#">2</a>	Motion and Order signed by Judge David Sam , 10/5/04 Granting motion/PHV for Attorney P. David Lopez, C. Emanuel Smith, Mary Jo O'Neill on behalf of plaintiff EEOC cc:attys (asp) (Entered: 10/05/2004)
10/07/2004	3	Return of summons executed as to Granite Mill Fixture 10/6/04 Answer due on 10/26/04 for Granite Mill Fixture (asp) (Entered: 10/07/2004)
11/02/2004	<a href="#">4</a>	Answer to Complaint by Granite Mill Fixture (asp) (Entered: 11/03/2004)
11/03/2004		Clerk's mailing of certificate of acknowledgment of alternative dispute resolution option. Mailed, faxed or emailed to plaintiff EEOC, defendant Granite Mill Fixture (asp) (Entered: 11/03/2004)
12/06/2004	<a href="#">5</a>	Certificate of election filed by defendant Granite Mill Fixture Refer to: mediation (asp) (Entered: 12/06/2004)
12/28/2004	<a href="#">6</a>	Certificate of election filed by plaintiff EEOC Refer to: mediation (kvs) (Entered: 12/29/2004)
12/29/2004	<a href="#">7</a>	Motion and Order signed by Judge David Sam , 12/29/04 Granting motion/PHV for Attorney Karen E. Nutter on behalf of plaintiff EEOC cc:attys (kvs) (Entered: 12/30/2004)

01/11/2005	<a href="#">8</a>	REPORT of Attorney Planning Meeting (asp) (Entered: 01/11/2005)
01/12/2005	<a href="#">9</a>	Scheduling order Setting ; Discovery cutoff 9/2/05 ;Joining of parties, amending of pleadings on 3/11/05 ; Deadline for filing of all motions 11/30/05 ; Final Pretrial Conference for 2:30 3/1/06 ; 4 Day Jury Trial for 8:30 3/13/06 ; Signed by Judge David Sam 1/12/05 cc:atty. (asp) (Entered: 01/13/2005)
02/08/2005	10	Certificate of service by Granite Mill Fixture re: initial disclosures (asp) (Entered: 02/09/2005)
02/10/2005	11	Certificate of service by EEOC re: initial disclosure statement (asp) (Entered: 02/10/2005)
03/11/2005	12	Certificate of service by EEOC re: discovery requests (kvs) (Entered: 03/11/2005)
04/15/2005	13	Certificate of service re: discovery by Granite Mill Fixture (blk) (Entered: 04/18/2005)
05/12/2005	<a href="#">14</a>	CERTIFICATE OF SERVICE re: first set of interrogatories and request for production of docs by Granite Mill & Fixture (kvs, ) (Entered: 05/13/2005)
05/31/2005	<a href="#">15</a>	CERTIFICATE OF SERVICE re: notice of amended video deposition of Ralph Ruiz by Granite Mill & Fixture (kvs, ) (Entered: 06/01/2005)
06/03/2005	<a href="#">16</a>	SUBSTITUTION OF COUNSEL Added attorney Scott Patrick Bates for Equal Employment Opportunity Commission. Attorney Karen E. Nutter; Mary Jo O'Neill; C. Emanuel Smith; Jan N. Allred and P. David Lopez terminated. (blk, ) (Entered: 06/07/2005)
06/20/2005	<a href="#">17</a>	CERTIFICATE OF SERVICE re: discovery by Equal Employment Opportunity Commission (blk, ) (Entered: 06/23/2005)
07/05/2005	<a href="#">18</a>	CERTIFICATE OF SERVICE re: discovery by Equal Employment Opportunity Commission (blk, ) (Entered: 07/08/2005)
07/05/2005	<a href="#">19</a>	CERTIFICATE OF SERVICE re: discovery by Equal Employment Opportunity Commission (blk, ) (Entered: 07/08/2005)
07/08/2005	<a href="#">20</a>	CERTIFICATE OF SERVICE re: notice of deposition continuance by Granite Mill & Fixture (blk, ) (Entered: 07/15/2005)
07/18/2005	<a href="#">21</a>	NOTICE of Clarification of Substitution of Counsel by Scott P. Bates (dkt. 16) by Equal Employment Opportunity Commission re <a href="#">16</a> Substitution of Counsel (blk, ) (Entered: 07/19/2005)
07/19/2005	22	Modification of Docket: Error: Terminated attys Mary Jo O'Neill, C. Emanuel Smith, and Karen E. Nutter as counsel for the EEOC. Correction: Reinstated previously referenced attorneys as counsel for the EEOC. re <a href="#">21</a> Notice of Clarification of Substitution of Counsel. (blk, ) (Entered: 07/19/2005)
08/04/2005	<a href="#">23</a>	JOINT STIPULATION & MOTION for Extension of Time all dates remaining in the Attorney Planning Meeting Report by 90 days filed by Plaintiff Equal Employment Opportunity Commission, Defendant Granite Mill & Fixture. (blk, ) (Entered: 08/05/2005)

08/09/2005	<a href="#">24</a>	ORDER granting <a href="#">23</a> Motion for Extension of Time. All remaining dates in the Atty Planning Meeting Report are extended by 90 days.. Signed by Judge David Sam on 8/9/05. (blk, ) (Entered: 08/10/2005)
10/14/2005	<a href="#">25</a>	NOTICE of Service of Plaintiff EEOC's Second Supplemental Responses to Defendant's First Request for Production by Equal Employment Opportunity Commission (Nutter, Karen) (Entered: 10/14/2005)
10/17/2005	<a href="#">26</a>	NOTICE of Service of First Request for Admissions by Equal Employment Opportunity Commission (Nutter, Karen) (Entered: 10/17/2005)
10/25/2005	<a href="#">27</a>	STIPULATION & MOTION for Extension of Time by 90 days all dates in the Attorney Planning Meeting Report filed by Defendant Granite Mill & Fixture. (blk, ) (Entered: 10/27/2005)
10/27/2005	<a href="#">28</a>	ORDER granting <a href="#">27</a> Motion for Extension of Time re: deadlines in Atty Planning Meeting Rpt. Signed by Judge David Sam on 10/26/05. (blk, ) (Entered: 10/28/2005)
10/28/2005		Set Deadlines/Hearings: Per Order # <a href="#">28</a> resetting certain deadlines and hearings by 90 days. The following and other deadlines/hearings were reset: Discovery due by 3/1/2005. Motions due by 5/23/2006. Final Pretrial Conference set for 8/8/2006 02:30 PM in Room 420 before Judge David Sam. Jury Trial set for 8/22/2006 08:30 AM in Room 420 before Judge David Sam. (blk, ) (Entered: 10/28/2005)
11/02/2005	<a href="#">29</a>	CERTIFICATE OF SERVICE re: discovery by Granite Mill & Fixture (blk, ) (Entered: 11/04/2005)
11/28/2005	<a href="#">30</a>	CERTIFICATE OF SERVICE re: Discovery by Granite Mill & Fixture (kla, ) (Entered: 11/28/2005)
01/27/2006	<a href="#">31</a>	SUBSTITUTION OF COUNSEL Carlie Christensen replacing Scott Patrick Bates as counsel on behalf of Equal Employment Opportunity Commission. (Christensen, Carlie) (Entered: 01/27/2006)
02/02/2006	<a href="#">32</a>	Proposed Witness & Exhibit List by Granite Mill & Fixture. (blk, ) (Entered: 02/03/2006)
02/03/2006	<a href="#">33</a>	Proposed Witness & Exhibit List by Equal Employment Opportunity Commission. (Nutter, Karen) (Entered: 02/03/2006)
02/14/2006	<a href="#">34</a>	STIPULATION & JOINT MOTION for Extension of Time of discovery dates, motion filing date, final pretrial conference date, and trial date by 60 days filed by Defendant Granite Mill & Fixture. (blk, ) (Entered: 02/15/2006)
02/22/2006	<a href="#">35</a>	ORDER granting <a href="#">34</a> Motion for Extension of Time regarding discovery and other deadlines & hearings . Signed by Judge David Sam on 2/22/06. (blk, ) (Entered: 02/22/2006)
02/22/2006		<b>Set/Reset Deadlines:</b> , Discovery due by 5/1/2006. Motions due by 7/25/2006. (blk, ) (Entered: 02/22/2006)
02/22/2006		<b>Set/Reset Hearings:</b> Final Pretrial Conference reset for 10/4/2006 02:30 PM in Room 420 before Judge David Sam. 4-day Jury Trial reset for 10/17/2006 08:30 AM in Room 420 before Judge David Sam. (blk, ) (Entered: 02/22/2006)

03/29/2006	<a href="#">36</a>	CERTIFICATE OF SERVICE re: discovery by Granite Mill & Fixture (blk, ) (Entered: 03/30/2006)
04/04/2006	<a href="#">37</a>	MOTION/ORDER granting motion for Admission Pro Hac Vice for of Sally C. Shanley 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 David Sam on 4/4/06. (blk, ) (Entered: 04/05/2006)</i>
04/04/2006	<a href="#">38</a>	Emergency MOTION for Extension of Time re: Length of Time of Deposition of Ralph Ruiz filed by Defendant Granite Mill & Fixture. (blk, ) (Entered: 04/05/2006)
04/04/2006	<a href="#">39</a>	MEMORANDUM in Support re <a href="#">38</a> Emergency MOTION for Extension of Time re: Length of Time of Deposition of Ralph Ruiz filed by Defendant Granite Mill & Fixture. (blk, ) (Entered: 04/05/2006)
04/05/2006	<a href="#">40</a>	RESPONSE to Motion re <a href="#">38</a> MOTION for Extension of Time re: Length of Time of Deposition of Ralph Ruiz filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit A)(Nutter, Karen) (Entered: 04/05/2006)
04/05/2006	<a href="#">41</a>	MOTION to Withdraw as Attorney <i>for the EEOC</i> filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Smith, C.) (Entered: 04/05/2006)
04/06/2006	<a href="#">42</a>	ORDER granting <a href="#">41</a> Motion to Withdraw as Attorney. Attorney C. Emanuel Smith withdrawn from case . Signed by Judge David Sam on 4/6/06. (blk, ) (Entered: 04/06/2006)
05/01/2006	<a href="#">43</a>	Stipulated MOTION for Extension of Time to Complete Discovery <i>by 90 days</i> filed by Defendant Granite Mill & Fixture. (Attachments: # <a href="#">1</a> Text of Proposed Order Granting Joint Motion for Extension of Time)(Nash, William) (Entered: 05/01/2006)
05/02/2006	<a href="#">44</a>	ORDER granting <a href="#">43</a> Stipulated Motion for Extension of Time to Complete Discovery . Discovery due date is extended by 90 days (see order for specific dates). Dispositive Motions due: 10/23/06. Final Pretrial Conference set for 1/10/07 at 2:30 p.m. Trial is set for 1/23/07 at 8:30 a.m. Signed by Judge David Sam on 5/2/06. (blk, ) (Entered: 05/03/2006)
05/03/2006		Set Deadlines/Hearings: Discovery due by 10/13/2006. Motions due by 10/23/2006. Final Pretrial Conference set for 1/10/2007 02:30 PM in Room 420 before Judge David Sam. Jury Trial set for 1/23/2007 08:30 AM in Room 420 before Judge David Sam. (blk, ) (Entered: 05/03/2006)
11/02/2006	<a href="#">45</a>	ORDER RE: PREPARATION OF JURY INSTRUCTIONS, etc. Signed by Judge David Sam on 11/1/06 (alt) (Entered: 11/03/2006)
12/06/2006	<a href="#">46</a>	CONSENT JUDGMENT/DECREE. Case Closed.. Signed by Judge David Sam on 12/6/06. (blk, ) (Entered: 12/06/2006)

<b>Transaction Receipt</b>			
07/10/2007 12:24:07			
<b>PACER Login:</b>	hs0328	<b>Client Code:</b>	eeoc
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	2:04-cv-00923-DS
<b>Billable Pages:</b>	3	<b>Cost:</b>	0.24

---