CLOSED

U.S. District Court
United States District Court for the Western District of Washington (Seattle)
CIVIL DOCKET FOR CASE #: 2:04-cv-00866-MJP

Equal Employment Opportunity Commission v. Union Pacific Railroad Company
Assigned to: Hon. Marsha J. Pechman
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 04/15/2004
Date Terminated: 04/12/2005
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

Equal Employment Opportunity Commission represented by

A Luis Lucero, Jr
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
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ATTORNEY TO BE NOTICED

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Intervenor Plaintiff

Jill Harp represented by **Heather L Hardyns**
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V.

Defendant

Union Pacific Railroad Company represented by **Ralph Crockett Pond**
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Defendant

1-10 Does
inclusive

Defendant

Jane Doe Howell represented by **Michael Alexander Patterson**
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TERMINATED: 01/06/2005

Defendant

Martin Howell represented by **Martin Howell**
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Michael Alexander Patterson
(See above for address)
TERMINATED: 01/06/2005

William R Kiendl
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TERMINATED: 01/06/2005

Defendant

Jane Doe Moench represented by **David L Shorett**
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TERMINATED: 11/24/2004

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TERMINATED: 11/30/2004

Defendant

Alan Moench
individually and the marital community thereof with

represented by **David L Shorett**
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ATTORNEY TO BE NOTICED

Kristin Nealey Meier
(See above for address)
TERMINATED: 11/24/2004

Thao A. Tiedt
(See above for address)
TERMINATED: 11/30/2004

Defendant

Jane Doe Jamison

represented by **Ralph Crockett Pond**
(See above for address)
TERMINATED: 12/29/2004

Timothy David Wackerbarth
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Fletcher Jamison
individually and the marital community thereof

represented by **Joyce L Thomas**
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Ralph Crockett Pond
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TERMINATED: 12/29/2004

Timothy David Wackerbarth
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ATTORNEY TO BE NOTICED

Defendant

Rail Terminal Services represented by **Kristin Nealey Meier**
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ATTORNEY TO BE NOTICED

Thao A. Tiedt
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Carol Cates represented by **Carol Cates**
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Date Filed	#	Docket Text
04/15/2004	1	COMPLAINT and JURY TRIAL DEMANDED against defendant Union Pacific Railroad Company (Summons(es) issued) (Receipt # fee waived) , filed by Equal Employment Opportunity Commission. (Attachments: # 1 Civil Cover Sheet)(PM,) (Entered: 04/17/2004)
04/27/2004	3	SERVICE OF SUMMONS and Complaint returned executed upon defendant Union Pacific Railroad Company on 4/22/2004. (LT,) (Entered: 05/04/2004)
04/29/2004	5	MOTION to Intervene and to file intervenor's complaint for damages by Intervenor Plaintiff Jill Harp. Noting Date 5/14/2004. (Attachments: # 1 Proposed Order # 2 Proposed intervenor's complaint for damages)(MD,) (Entered: 05/07/2004)
04/29/2004	6	DECLARATION of Artis C Grant Jr re 5 MOTION to Intervene (MD,) (Entered: 05/07/2004)
04/29/2004	7	CERTIFICATE OF SERVICE by Intervenor Plaintiff Jill Harp re 5 MOTION to Intervene, 6 Declaration. (MD,) (Entered: 05/07/2004)
04/30/2004	2	NOTICE of Appearance by attorney Timothy David Wackerbarth on behalf of Defendant Union Pacific Railroad Company (Wackerbarth, Timothy) (Entered: 04/30/2004)

05/05/2004	4	NOTICE of Appearance (Attachments: # 1 Certificate of Service)(Grant, Artis) (Entered: 05/05/2004)
05/19/2004	8	ORDER REGARDING INITIAL DISCLOSURES, JOINT STATUS REPORT AND EARLY SETTLEMENT Joint Status Report due by 6/30/2004; by Judge Marsha J. Pechman. (Goldberg, Rachel) (Entered: 05/19/2004)
06/10/2004	9	ORDER Granting re 5 MOTION to Intervene and to file intervenor's complaint for damages filed by Jill Harp by Judge Marsha J. Pechman. (MD,) (Entered: 06/10/2004)
06/10/2004	10	INTERVENOR COMPLAINT , filed by Jill Harp.(MD,) (Entered: 06/10/2004)
06/15/2004	11	PRAECIPE TO ISSUE SUMMONS re 10 Intervenor Complaint by Intervenor Plaintiff Jill Harp. (Attachments: # 1 Summons to Alan Moench# 2 Summons Fletcher Jamison# 3 Summons to Martin Howell# 4 Summons to Rail Terminal Services# 5 Summons to Union Pacific Railroad# 6 Summons to Jane Doe Moench# 7 Summons to Jane Doe Jamison# 8 Summons to Jane Doe Howell)(Hardyns, Heather) Modified on 6/16/2004-issued s/c and mailed to cnsl of record for service(MD,). (Entered: 06/15/2004)
06/18/2004	12	NOTICE of Appearance by attorney Timothy David Wackerbarth on behalf of Defendants Fletcher Jamison, Jane Doe Jamison, Union Pacific Railroad Company (Wackerbarth, Timothy) (Entered: 06/18/2004)
06/18/2004	13	MINUTE ORDER extending deadline; Joint Status Report due by 7/30/2004; by Judge Marsha J. Pechman. (Goldberg, Rachel) (Entered: 06/18/2004)
06/23/2004	14	ANSWER to Complaint *and Affirmative Defenses* with Jury Demand by Union Pacific Railroad Company.(Wackerbarth, Timothy) (Entered: 06/23/2004)
06/28/2004	15	NOTICE of Appearance by attorney Thao A. Tiedt on behalf of Defendants Alan Moench, Jane Doe Moench, Rail Terminal Services (Tiedt, Thao) (Entered: 06/28/2004)
07/13/2004	16	NOTICE of Appearance by attorney William R Kiendl on behalf of Defendant Martin Howell (Kiendl, William) (Entered: 07/13/2004)
07/13/2004	17	ANSWER to Intervenor Complaint *and Affirmative Defenses* by Alan Moench, Jane Doe Moench, Rail Terminal Services.(Tiedt, Thao) (Entered: 07/13/2004)
07/26/2004	18	INITIAL DISCLOSURES by Defendant Union Pacific Railroad Company.(Pond, Ralph) (Entered: 07/26/2004)
07/29/2004	19	JOINT STATUS REPORT *AND DISCOVERY PLAN* filed by all parties. Est. Trial Days: 10. (Hardyns, Heather) (Entered: 07/29/2004)
08/12/2004	20	MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS* by Defendants Alan Moench, Jane Doe Moench, Rail Terminal Services. Noting Date 9/10/2004 and Proposed Order (Tiedt, Thao) Modified text on 8/17/2004 (MD,). (Entered: 08/12/2004)
08/12/2004	21	DECLARATION of R. Michael List filed by Defendants Alan Moench, Jane Doe Moench, Rail Terminal Services re 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS* (Tiedt, Thao) (Entered: 08/12/2004)

08/12/2004	22	DECLARATION of Alan Moench filed by Defendants Alan Moench, Jane Doe Moench, Rail Terminal Services re 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS* (Tiedt, Thao) (Entered: 08/12/2004)
08/12/2004	23	DECLARATION of Glenn Strieker filed by Defendants Alan Moench, Jane Doe Moench, Rail Terminal Services re 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS* (Tiedt, Thao) (Entered: 08/12/2004)
08/17/2004	24	ANSWER to Intervenor Complaint by Union Pacific Railroad Company and Fletcher Jamison.(Pond, Ralph) Modified on 8/23/2004; removed duplicative text added by counsel (AF,). (Entered: 08/17/2004)
08/26/2004	25	NOTICE by Defendants Alan Moench, Jane Doe Moench, Rail Terminal Services that the following is RE-NOTED: 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS* Noting Date 9/17/2004. (Tiedt, Thao) (Entered: 08/26/2004)
08/31/2004	26	SUPPLEMENT re 18 Initial Disclosures *First Supplemental FRCP 26(a)(1) Disclosure* by Defendant Union Pacific Railroad Company. (Pond, Ralph) (Entered: 08/31/2004)
08/31/2004	27	SUPPLEMENT re 18 Initial Disclosures *First Supplemental FRCP 26(a)(1) Disclosure* by Defendant Union Pacific Railroad Company. (Pond, Ralph) (Entered: 08/31/2004)
09/13/2004	28	ORDER SETTING TRIAL DATE AND RELATED DATES; Length of Trial: 10 days. Jury Trial set for 9/19/2005 at 9:00 AM before Hon. Marsha J. Pechman. Joinder of Parties due by 10/12/2004; Amended Pleadings due by 10/21/2004; Expert Witness Disclosure due by 3/23/2005; Motions due by 4/22/2005; Discovery due by 5/22/2005; Dispositive motions due by 6/21/2005; Settlement conference to be held by 7/21/2005; 39.1 Settlement Report due by 8/20/2005; Motions in Limine due by 8/22/2005; Pretrial Order due by 9/7/2005; Pretrial Conference set for 9/9/2005 at 1:30 PM before Hon. Marsha J. Pechman. Trial briefs to be submitted by 9/14/2005; Voir dire/jury instructions due by 9/14/2005; by Judge Marsha J. Pechman. (ES) (Entered: 09/13/2004)
09/13/2004	29	RESPONSE, by Intervenor Plaintiff Jill Harp, to 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS* (Attachments: # 1 Supplement Response to motion, pp 12-24# 2 Proposed Order # 3 Certificate of Service)(Hardyns, Heather) (Entered: 09/13/2004)
09/13/2004	30	DECLARATION of Artis C. Grant, Jr. filed by Intervenor Plaintiff Jill Harp re 29 Response to Motion (Hardyns, Heather) (Entered: 09/13/2004)
09/13/2004	31	DECLARATION of Jill Harp filed by Intervenor Plaintiff Jill Harp re 29 Response to Motion (Hardyns, Heather) (Entered: 09/13/2004)
09/13/2004	32	RESPONSE, by Defendants Fletcher Jamison, Union Pacific Railroad Company, to 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS* (Pond, Ralph) (Entered: 09/13/2004)
09/13/2004	33	EXHIBIT *1 to Declaration of Artis C. Grant, Jr.* re 30 Declaration by Intervenor Plaintiff Jill Harp. (Attachments: # 1 Ex 2# 2 Ex 3# 3 Ex 4# 4 Ex 5# 5 Ex 6# 6 Ex 7# 7 Ex 8# 8 Ex 9# 9 Ex 10# 10 Ex 11# 11 Ex 12)(Hardyns, Heather) Modified on 9/14/2004 to edit docket text (ECS,). (Entered: 09/13/2004)

09/13/2004	34	RESPONSE, by Defendant Martin Howell, to 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS* (Attachments: # 1 Proposed Order Granting Motion to Dismiss)(Kiendl, William) (Entered: 09/13/2004)
09/13/2004	35	DECLARATION of Martin Howell filed by Defendant Martin Howell re 34 Response to Motion (Kiendl, William) (Entered: 09/13/2004)
09/13/2004	36	DECLARATION of Michael A. Patterson filed by Defendant Martin Howell re 34 Response to Motion (Kiendl, William) (Entered: 09/13/2004)
09/14/2004	37	NOTICE of Appearance by attorney Kristin Rose Nealey on behalf of Defendants Alan Moench, Jane Doe Moench, Rail Terminal Services (Nealey, Kristin) (Entered: 09/14/2004)
09/16/2004	38	REPLY, filed by Defendants Alan Moench, Jane Doe Moench, Rail Terminal Services, TO RESPONSE to 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS* (Nealey, Kristin) (Entered: 09/16/2004)
09/16/2004	39	RESPONSE, by Defendant Union Pacific Railroad Company, to 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS* (Pond, Ralph) (Entered: 09/16/2004)
09/16/2004	40	REPLY, filed by Defendants Fletcher Jamison, Union Pacific Railroad Company, TO RESPONSE to 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS* (Pond, Ralph) (Entered: 09/16/2004)
10/07/2004	41	ORDER regarding Defendants Howel and Gates' Joinder, by Judge Marsha J. Pechman. (RG,) (Entered: 10/07/2004)
10/08/2004		Defts Howell and Gates motion to dismiss 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS*, 34 Response/joinder in the underlying motion to dismiss 41 Order; NOTED on motion calendar; Noting Date 10/29/2004. (MD,) (Entered: 10/08/2004)
10/25/2004	42	RESPONSE, by Intervenor Plaintiff Jill Harp, to Defts Howell and Gates motion to dismiss 34 re 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS*, 34 Response to Motion, 41 Order NOTED on motion calendar;. (Hardyns, Heather) (Entered: 10/25/2004)
10/25/2004	43	DECLARATION of Jill Harp filed by Intervenor Plaintiff Jill Harp re Defts Howell and Gates motion to dismiss 34 re 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS*, 34 Response to Motion, 41 Order NOTED on motion calendar; (Attachments: # 1 Pages 11-19 of Harp Declaration)(Hardyns, Heather) (Entered: 10/25/2004)
10/25/2004	44	PRAECIPE to attach document (Proposed Order) re 42 Response to Motion by Intervenor Plaintiff Jill Harp. (Hardyns, Heather) (Entered: 10/25/2004)
10/25/2004	45	CERTIFICATE OF SERVICE by Intervenor Plaintiff Jill Harp re 42 Response to Motion, 43 Declaration,, 44 Praecipe to attach Document. (Hardyns, Heather) (Entered: 10/25/2004)
10/28/2004	46	REPLY, filed by Defendants Jane Doe Howell, Martin Howell, IN SUPPORT of Defts Howell and Gates motion to dismiss 34 re 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS*, 34 Response to Motion, 41 Order

		NOTED on motion calendar; (Kiendl, William) (Entered: 10/28/2004)
10/28/2004	47	DECLARATION of Martin Howell (Supplemental) filed by Defendants Jane Doe Howell, Martin Howell re Defts Howell and Gates motion to dismiss 34 re 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS*, 34 Response to Motion, 41 Order NOTED on motion calendar; (Kiendl, William) (Entered: 10/28/2004)
11/03/2004	48	SURREPLY filed by Intervenor Plaintiff Jill Harp re Defts Howell and Gates motion to dismiss 34 re 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS*, 34 Response to Motion, 41 Order NOTED on motion calendar; (Attachments: # 1 Certificate of Service)(Hardyns, Heather) (Entered: 11/03/2004)
11/03/2004	49	DECLARATION of Heather Hardyns filed by Intervenor Plaintiff Jill Harp re Defts Howell and Gates motion to dismiss 34 re 20 MOTION to Dismiss *INTERVENTION PLAINTIFF'S CLAIMS*, 34 Response to Motion, 41 Order NOTED on motion calendar; (Hardyns, Heather) (Entered: 11/03/2004)
11/22/2004	50	ORDER denying 20 Motion to Dismiss by Judge Marsha J. Pechman.(RG,) (Entered: 11/22/2004)
11/24/2004	51	NOTICE OF WITHDRAWAL OF COUNSEL: Attorney Kristin Rose Nealey for Defendants Jane Doe Moench, Alan Moench, Rail Terminal Services. (Nealey, Kristin) (Entered: 11/24/2004)
11/30/2004	52	NOTICE OF WITHDRAWAL OF COUNSEL: Attorney Thao A. Tiedt for Defendants Jane Doe Moench, Alan Moench. (Tiedt, Thao) (Entered: 11/30/2004)
12/03/2004	53	NOTICE by Defendants Jane Doe Moench, Alan Moench *of Substitution of Counsel for Alan Moench and Jane Doe Moench, Substituting in David L. Shorett* (Nealey, Kristin) (Entered: 12/03/2004)
12/17/2004	54	ORDER denying 20 Motion to Dismiss by Judge Marsha J. Pechman.(RG,) (Entered: 12/17/2004)
12/17/2004	55	MOTION to Withdraw as Attorney *by Michael A. Patterson and William R. Kiendl* by Defendants Jane Doe Howell, Martin Howell. Noting Date 12/30/2004. (Attachments: # 1 Proposed Order)(Kiendl, William) (Entered: 12/17/2004)
12/17/2004	56	DECLARATION of Michael A. Patterson filed by Defendants Jane Doe Howell, Martin Howell re 55 MOTION to Withdraw as Attorney *by Michael A. Patterson and William R. Kiendl* (Kiendl, William) (Entered: 12/17/2004)
12/23/2004	57	RESPONSE, by Intervenor Plaintiff Jill Harp, to 55 MOTION to Withdraw as Attorney *by Michael A. Patterson and William R. Kiendl*. (Attachments: # 1 Proposed Order # 2 Proposed Order Alternative)(Hardyns, Heather) (Entered: 12/23/2004)
12/23/2004	58	DECLARATION of Heather Hardyns filed by Intervenor Plaintiff Jill Harp re 55 MOTION to Withdraw as Attorney *by Michael A. Patterson and William R. Kiendl* (Hardyns, Heather) (Entered: 12/23/2004)

12/29/2004	59	ANSWER to Intervenor Complaint *and Affirmative Defenses* by Jane Doe Howell, Martin Howell.(Kiendl, William) (Entered: 12/29/2004)
12/29/2004	60	REPLY, filed by Defendants Jane Doe Howell, Martin Howell, TO RESPONSE to 55 MOTION to Withdraw as Attorney *by Michael A. Patterson and William R. Kiendl* (Kiendl, William) (Entered: 12/29/2004)
12/29/2004	61	NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL on behalf of Defendant Fletcher Jamison. Ralph Crockett Pond is substituted as counsel for Defendant. Attorney Ralph Crockett Pond terminated. *Ralph Crocket Pond is Terminated, NOT substituted; Joyce L. Thomas is Substituted* (Pond, Ralph) (Entered: 12/29/2004)
01/06/2005	62	ORDER GRANTING re 55 MOTION to Withdraw as Attorney for deft Martin Howell and Carol Cates*by Michael A. Patterson and William R. Kiendl, Attorney William R Kiendl and Michael Alexander Patterson terminated., Motions terminated: by Judge Marsha J. Pechman. (MD,copy to Pro Se Howell and Cates) (Entered: 01/06/2005)*
01/07/2005	63	NOTICE by Defendant Union Pacific Railroad Company *of Name Change of Attorneys of Record* (Pond, Ralph) (Entered: 01/07/2005)
04/06/2005	64	STIPULATION AND PROPOSED ORDER *Dismissing Action* by parties. (Cox, Lisa) (Entered: 04/06/2005)
04/07/2005	65	NOTICE from Mediator Michele M Sales, that on 3/24/05, the parties participated in a mediation. This matter is now resolved. (MD,) (Entered: 04/08/2005)
04/12/2005	66	CONSENT DECREE AND ORDER DISMISSING ACTION WITH PREJUDICE AND WITHOUT COSTS OR ATTORNEYS' FEES TO ANY PARTY. The Court retains jurisdiction of this matter for purposes of enforcing the consent decree approved herein by Judge Marsha J. Pechman. (MD) (Entered: 04/13/2005)
04/18/2005	67	STIPULATION AND PROPOSED ORDER *of Dismissal of Complaint In Intervention* by parties. (Pond, Ralph) (Entered: 04/18/2005)
04/19/2005	68	AMENDMENT to 64 PROPOSED Stipulation *CONSENT DECREE* by Plaintiff Equal Employment Opportunity Commission. (Cox, Lisa) Modified text on 4/20/2005 (MD,). (Entered: 04/19/2005)
04/19/2005	69	STIPULATION AND ORDER of dismissal of complaint in intervention re 67 Stipulation filed by Union Pacific Railroad Company, by Judge Marsha J. Pechman. (MD,) (Entered: 04/20/2005)
04/20/2005	70	AMENDED CONSENT DECREE AND ORDER DISMISSING ACTION by Judge Marsha J. Pechman. (MD,) (Entered: 04/20/2005)

PACER Service Center

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