

CLOSED

**U.S. District Court [LIVE]  
Western District of Texas (El Paso)  
CIVIL DOCKET FOR CASE #: 3:04-cv-00400-FM**

Asociacion de Traba, et al v. U.S. Department of L  
Assigned to: Judge Frank Montalvo  
Demand: \$0  
Cause: 28:1331 Fed. Question: Fair Labor Standards

Date Filed: 10/26/2004  
Date Terminated: 12/30/2005  
Jury Demand: None  
Nature of Suit: 440 Civil Rights:  
Other  
Jurisdiction: Federal Question

**Plaintiff**

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Fronterizos**

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**Plaintiff**

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**Plaintiff**

**Sandra Mora**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

**Marisela Rodriguez**

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V.

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
10/26/2004		Case assigned to Judge Frank Montalvo (em) (Entered: 10/27/2004)
10/26/2004	<a href="#"><u>1</u></a>	Complaint filed. Filing Fee: \$ 00 Receipt # 00 (Pages: 10) (em) (Entered: 10/27/2004)
11/05/2004	<a href="#"><u>2</u></a>	Motion by U.S. Department of L for more definite statement or in the alternative, to strike Plaintiff's Post-Severance Complaint (md) (Entered: 11/05/2004)
11/05/2004	<a href="#"><u>3</u></a>	Motion by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez for summary judgment (md) (Entered: 11/05/2004)
11/05/2004	<a href="#"><u>4</u></a>	Memorandum by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez in support of motion for summary judgment [3-1] (md) (Entered: 11/05/2004)
11/05/2004	<a href="#"><u>5</u></a>	Statement of material facts as to which there is no genuine facts by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez (md) (Entered: 11/05/2004)
11/05/2004	6	Appendix for memorandum in support [Volume I of II[4-1] by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez (md) (Entered: 11/05/2004)
11/05/2004	7	Appendix for memorandum in support Volume II of II[4-1] by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez (md) (Entered: 11/05/2004)
11/05/2004	<a href="#"><u>8</u></a>	Motion by U.S. Department of Labor to stay its response to Plaintiff's Motion for Summary Judgement (md) (Entered: 11/08/2004)
11/08/2004	<a href="#"><u>9</u></a>	Response by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez motion for more definite statement or in the alternative, to strike Plaintiff's Post-Severance

		Complaint [2-1], motion to stay its response to Plaintiff's Motion for Summary Judgement [8-1] (md) (Entered: 11/08/2004)
11/09/2004	<a href="#">10</a>	Response by U.S. Department of Labor to motion response [9-1] (md) (Entered: 11/12/2004)
11/09/2004	<a href="#">11</a>	Response by U.S. Department of Labor to motion response [9-1] (md) (Entered: 11/12/2004)
11/10/2004	<a href="#">12</a>	Motion by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez for leave to file a sur-reply in opposition to defendant's motion for a more definite statement or to strike (cr) (Entered: 11/12/2004)
11/10/2004	<a href="#">13</a>	Order denying motion for more definite statement or in the alternative, to strike Plaintiff's Post-Severance Complaint [2-1], granting in part, denying in part motion to stay its response to Plaintiff's Motion for Summary Judgement [8-1] and shall file its response on or before December 10, 2004 and defendant shall file its answer on or before November 22, 2004 signed by Judge Frank Montalvo (md) (Entered: 11/12/2004)
11/10/2004	<a href="#">14</a>	Order that all counsel previously admitted pro hac vice in EP-02-CV-131-FM are hereby admitted pro hac vice in EP-04-CV-400-FM signed by Judge Frank Montalvo (md) (Entered: 11/12/2004)
11/17/2004	<a href="#">15</a>	Motion by U.S. Department of L for (Joanna Hull) to appear pro hac vice (md) (Entered: 11/17/2004)
11/18/2004	<a href="#">16</a>	Order granting motion for (Joanna Hull) to appear pro hac vice [15-1] signed by Judge Frank Montalvo (md) (Entered: 11/19/2004)
11/18/2004	<a href="#">17</a>	Motion by Asociacion de Traba for (Michael T. Kirkpatrick ) to appear pro hac vice (md) Modified on 11/19/2004 (Entered: 11/19/2004)
11/22/2004	<a href="#">18</a>	Answer by U.S. Department of Labor (md) (Entered: 11/23/2004)
11/24/2004	<a href="#">19</a>	Motion by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez for (D.Michael Dale) to appear pro hac vice (md) (Entered: 11/24/2004)
11/29/2004	<a href="#">20</a>	Order granting motion for (Michael T. Kirkpatrick ) to appear pro hac vice [17-1] signed by Judge Frank Montalvo (md) (Entered: 11/30/2004)
11/29/2004	<a href="#">21</a>	Order denying motion for leave to file a sur-reply in opposition to defendant's motion for a more definite statement or to strike [12-1] signed by Judge Frank Montalvo (md) (Entered: 11/30/2004)
11/29/2004		Pro Hac Vice Filing Fee: \$ 25.00 Receipt # 365969 (md) (Entered: 11/30/2004)
11/30/2004	<a href="#">22</a>	Order granting motion for (D.Michael Dale) to appear pro hac vice [19-1]

		signed by Judge Frank Montalvo (md) (Entered: 12/01/2004)
12/10/2004	<a href="#">23</a>	Motion by U.S. Department of L for leave to file a response in excess of ten pages (md) (Entered: 12/13/2004)
12/21/2004	<a href="#">24</a>	Motion by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez for leave to file a summary judgment reply in excess of five pages (cr) (Entered: 12/22/2004)
12/21/2004	<a href="#">25</a>	Notice of filing "Reply statement of material facts as to which there is no genuine issue" by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez (cr) (Entered: 12/22/2004)
12/29/2004	<a href="#">26</a>	Motion by U.S. Department of L for leave to file surreply to Plaintiff's reply memorandum in support of Plaintiffs' motion for Summary Judgement (md) (Entered: 12/29/2004)
01/03/2005	<a href="#">27</a>	Response by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez motion for leave to file surreply to Plaintiff's reply memorandum in support of Plaintiffs' motion for Summary Judgement [26-1] (md) (Entered: 01/03/2005)
01/06/2005	<a href="#">28</a>	Order granting motion for leave to file a response in excess of ten pages [23-1] signed by Judge Frank Montalvo (md) (Entered: 01/06/2005)
01/06/2005	<a href="#">29</a>	Order granting motion for leave to file a summary judgment reply in excess of five pages [24-1] signed by Judge Frank Montalvo (md) (Entered: 01/06/2005)
01/06/2005	<a href="#">30</a>	Order granting motion for leave to file surreply to Plaintiff's reply memorandum in support of Plaintiffs' motion for Summary Judgement [26-1] plaintiff is granted leave to file a response to deft. surreply until February 11, 2005 and a hearing requested for Summary judgement is granted and will be set at a later date signed by Judge Frank Montalvo (md) (Entered: 01/06/2005)
01/06/2005	<a href="#">31</a>	Response by U.S. Department of L motion for summary judgment [3-1] (md) (Entered: 01/06/2005)
01/06/2005	<a href="#">32</a>	Response by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez in support of motion for summary judgment [3-1] (md) (Entered: 01/06/2005)
01/20/2005	<a href="#">33</a>	Sur-Relpy by U.S. Department of Labor to motion for summary judgment [3-1] (md) (Entered: 01/20/2005)
01/20/2005		Pro Hac Vice Filing Fee: \$ 25.00 Receipt # 366283 (md) (Entered: 01/21/2005)

02/01/2005	<a href="#">34</a>	Response by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez to motion response [33-1] (md) (Entered: 02/01/2005)
04/22/2005	<a href="#">35</a>	Order for a status conference to be held concurrently with a Status Confernece with case number EP-02-CV-131; parties shall confer and advise the Court by April 29, 2005 of a date most convenient to them from the following, April 26-29; May 5-6,13-20,23-26,31 or June 1-3 signed by Judge Frank Montalvo (md) (Entered: 04/22/2005)
04/29/2005	<a href="#">36</a>	Letter/Correspondence submitted by U.S. Department of L regarding: status confernce (md) (Entered: 05/02/2005)
05/06/2005	<a href="#">37</a>	Order Motion hearing motion for summary judgment [3-1] for 2:00 5/24/05 signed by Judge Frank Montalvo (md) (Entered: 05/09/2005)
05/18/2005	<a href="#">38</a>	Motion by U.S. Department of L for (Gary K. Stearman ) to appear pro hac vice (md) (Entered: 05/18/2005)
05/20/2005	<a href="#">39</a>	Order granting motion for (Gary K. Stearman ) to appear pro hac vice [38-1] signed by Judge Frank Montalvo (md) (Entered: 05/23/2005)
05/24/2005	<a href="#">40</a>	Minutes of proceedings for motion hearing conducted on 5/24/05 by Judge Montlavo. Court Reporter: Benavides (md) (Entered: 05/25/2005)
05/24/2005		Motion hearing held for the following motions: [3-1] (md) (Entered: 05/25/2005)
06/02/2005	<a href="#">41</a>	Notice of filing by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez regarding Slided Used in Plaintiff's Summary Judgement Presentation (md) (Entered: 06/02/2005)
06/03/2005	<a href="#">42</a>	Order referring case to mediation to the Honorable Edward Leavy, mediation shall be complete by the end of July ot middle of August 2005 signed by Judge Frank Montalvo (md) (Entered: 06/03/2005)
08/12/2005	<a href="#">43</a>	Notice of filing regarding Mediation Status by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez, U.S. Department of L (md) (Entered: 08/15/2005)
09/16/2005	<a href="#">44</a>	Notice of filing regarding First Supplemental Notice of Mediation Stauts by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez, U.S. Department of L (md) (Entered: 09/16/2005)
10/07/2005	<a href="#">45</a>	Notice of Second Supplemental Notice of Mediation Staus filing by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez, U.S. Department of L (md) (Entered: 10/11/2005)



11/07/2005	<a href="#">46</a>	Notice of filing by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez, U.S. Department of Labor regarding Mediation Status (md) (Entered: 11/08/2005)
12/02/2005	<a href="#">47</a>	Notice of filing by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez regarding Fifth Supplemental Notice of Mediation Status (md) (Entered: 12/05/2005)
12/07/2005	<a href="#">48</a>	Order setting status conference at 10:00 12/19/05 signed by Judge Frank Montalvo (md) (Entered: 12/07/2005)
12/16/2005	<a href="#">49</a>	Order REMOVING STATUS CONFERNECE FROM CALENDAR signed by Judge Frank Montalvo (md) (Entered: 12/16/2005)
12/29/2005	<a href="#">50</a>	Motion by Asociacion de Traba, Jose A. De La Cruz, Sandra Mora, Rodrigo Morin, Soledad Renteria, Marisela Rodriguez, U.S. Department of L to dismiss (cr) (Entered: 01/03/2006)
12/30/2005	<a href="#">51</a>	Order granting motion to dismiss [50-1] signed by Judge Frank Montalvo (cr) (Entered: 01/03/2006)
12/30/2005	<a href="#">52</a>	Judgment signed by Judge Frank Montalvo (cr) (Entered: 01/03/2006)
12/30/2005		Case closed (cr) (Entered: 01/03/2006)