

**U.S. District Court - District of Colorado
District of Colorado (Denver)
CIVIL DOCKET FOR CASE #: 1:21-cv-01779-DDD-SKC**

Rogers v. Vilsack et al
Assigned to: Judge Daniel D. Domenico
Referred to: Magistrate Judge S. Kato Crews
Demand: \$1,000
Cause: 28:1331cr - Fed. Question - Civil Rights (Race
Discrimination)

Date Filed: 06/29/2021
Jury Demand: None
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: U.S. Government
Defendant

Plaintiff

Sara M Rogers

represented by **Corey Christopher Bartkus**
Campbell Litigation, P.C.
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TERMINATED: 11/08/2021
LEAD ATTORNEY

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V.

Defendant

Thomas J. Vilsack
*in his official capacity as Secretary
of the United States Department of
Agriculture*

represented by **Emily Sue Newton**
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ATTORNEY TO BE NOTICED

Defendant

Zach Ducheneaux
*in his official capacity as
Administrator of the Farm Service
Agency*

represented by **Emily Sue Newton**
(See above for address)
ATTORNEY TO BE NOTICED

Kyla Marie Snow
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/29/2021	1	COMPLAINT against Zach Ducheneaux, Thomas J. Vilsack (Filing fee \$ 402,Receipt Number 1082-7937497)Attorney Corey Christopher Bartkus added to party Sara M Rogers(pty:pla), filed by Sara M Rogers. (Attachments: # 1 Civil Cover Sheet, # 2 Continuation of Main Document Notice of Related Cases, # 3 Summons Thomas J. Vilsack, # 4 Summons Ducheneaux)(Bartkus, Corey) (Entered: 06/29/2021)
06/29/2021	2	Case assigned to Judge Daniel D. Domenico and drawn to Magistrate Judge S. Kato Crews. Text Only Entry. (jsalz,) (Entered: 06/30/2021)

06/30/2021	3	SUMMONS issued by Clerk. (Attachments: # 1 Summons, # 2 Magistrate Judge Consent Form) (jsalz,) (Entered: 06/30/2021)
07/06/2021	4	ORDER REFERRING CASE to Magistrate Judge S. Kato Crews. Pursuant to 28 U.S.C. § 636(b)(1)(A) and (B) and Fed. R. Civ. P. 72(a) and (b), this case is referred to the assigned United States Magistrate Judge to (1) convene a scheduling conference under Fed. R. Civ. P. 16(b) and enter a scheduling order meeting the requirements of Local Civ. R. 16.2, (2) conduct such status conferences and issue such orders necessary for compliance with the scheduling order, including amendments or modifications of the scheduling order upon a showing of good cause, (3) hear and determine pretrial matters, including discovery and other non-dispositive motions, (4) conduct hearings, including evidentiary hearings, and submit proposed findings of fact and recommendations for rulings on dispositive motions, and (5) pursuant to Local Civ. R. 16.6 and at the discretion of the Magistrate Judge, convene such early neutral evaluation and/or settlement conferences and direct related procedures as may facilitate resolution of this case without the necessity of a motion or prior authorization of the undersigned. SO ORDERED by Judge Daniel D. Domenico on 7/6/2021. Text Only Entry (dddlc3,) (Entered: 07/06/2021)
07/14/2021	5	CONSENT to Jurisdiction of Magistrate Judge by Plaintiff Sara M Rogers All parties do not consent.. (Bartkus, Corey) (Entered: 07/14/2021)
07/14/2021	6	SUMMONS Returned Executed upon defendant(s) Thomas J. Vilsack served on 7/8/2021, answer due 9/6/2021. (Bartkus, Corey) (Entered: 07/14/2021)
07/14/2021	7	SUMMONS Returned Executed upon defendant(s) Zach Ducheneaux served on 7/8/2021, answer due 9/6/2021. (Bartkus, Corey) (Entered: 07/14/2021)
07/19/2021	8	MOTION to Stay <i>Proceedings</i> by Defendants Zach Ducheneaux, Thomas J. Vilsack. (Newton, Emily) (Entered: 07/19/2021)
07/22/2021	9	ORDER REFERRING MOTION: 8 MOTION to Stay <i>Proceedings</i> filed by Thomas J. Vilsack, Zach Ducheneaux. Motion referred to Magistrate Judge S. Kato Crews by Judge Daniel D. Domenico on 7/22/2021. Text Only Entry (dddlc3,) (Entered: 07/22/2021)
08/09/2021	10	RESPONSE to 8 MOTION to Stay <i>Proceedings</i> filed by Plaintiff Sara M Rogers. (Attachments: # 1 Exhibit Exh 1 - A Career Counselors Guide to Lateral Hiring at DOJ, # 2 Exhibit Exh 2 - Order Denying Motion to Stay, # 3 Exhibit Exh 3 - Choose Justice - Guide to U.S. DOJ for Law Students and Exp. Attorneys)(Bartkus, Corey) (Entered: 08/09/2021)

08/23/2021	<u>11</u>	REPLY to Response to <u>8</u> MOTION to Stay <i>Proceedings</i> filed by Defendants Zach Ducheneaux, Thomas J. Vilsack. (Newton, Emily) (Entered: 08/23/2021)
08/31/2021	<u>12</u>	NOTICE of Supplemental Authorities re: <u>8</u> MOTION to Stay <i>Proceedings</i> by Defendants Zach Ducheneaux, Thomas J. Vilsack (Attachments: # <u>1</u> Exhibit McKinney - Order Granting Stay)(Newton, Emily) (Entered: 08/31/2021)
09/01/2021	<u>13</u>	MOTION to Continue <i>Defendants' Response Deadline</i> by Defendants Zach Ducheneaux, Thomas J. Vilsack. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Newton, Emily) (Entered: 09/01/2021)
09/01/2021	14	ORDER REFERRING MOTION: <u>13</u> MOTION to Continue Defendants' Response Deadline filed by Thomas J. Vilsack, Zach Ducheneaux. Motion referred to Magistrate Judge S. Kato Crew by Judge Daniel D. Domenico on 9/1/2021. Text Only Entry (dddlc4,) (Entered: 09/01/2021)
09/01/2021	<u>15</u>	RESPONSE to <u>13</u> MOTION to Continue <i>Defendants' Response Deadline</i> filed by Plaintiff Sara M Rogers. (Bartkus, Corey) (Entered: 09/01/2021)
09/02/2021	<u>16</u>	NOTICE of Entry of Appearance by Kyla Marie Snow on behalf of All Defendants Attorney Kyla Marie Snow added to party Zach Ducheneaux(pty:dft), Attorney Kyla Marie Snow added to party Thomas J. Vilsack(pty:dft) (Snow, Kyla) (Entered: 09/02/2021)
09/10/2021	<u>17</u>	NOTICE OF DEFENDANTS' NONCOMPLIANCE WITH RESPONSIVE PLEADING DEADLINE by Plaintiff Sara M Rogers (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Bartkus, Corey) (Entered: 09/10/2021)
09/13/2021	<u>18</u>	NOTICE of Supplemental Authorities re: <u>8</u> MOTION to Stay <i>Proceedings</i> by Defendants Zach Ducheneaux, Thomas J. Vilsack (Attachments: # <u>1</u> Exhibit Exhibit 1 - Tiegs Order Staying Case)(Newton, Emily) (Entered: 09/13/2021)
09/22/2021	<u>19</u>	NOTICE of Supplemental Authorities re: <u>8</u> MOTION to Stay <i>Proceedings</i> by Defendants Zach Ducheneaux, Thomas J. Vilsack (Attachments: # <u>1</u> Exhibit Dunlap Order Granting Gov's Mot to Stay)(Newton, Emily) (Entered: 09/22/2021)
10/04/2021	<u>20</u>	MOTION for Default Judgment as to (<i>or, in the Alternative, Setting of Date Certain for Answer</i>) by Plaintiff Sara M Rogers. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Bartkus, Corey) (Entered: 10/04/2021)

10/05/2021	21	CLERK'S NOTE REGARDING DEFAULT. Clerk's Entry of Default will not be entered as to Zach Ducheneaux, Thomas J. Vilsack re 20 MOTION for Default Judgment (<i>or, in the Alternative, Setting of Date Certain for Answer</i>) as: the affidavit or declaration required by Fed. R. Civ. P. 55(a) was not filed, the affidavit or declaration concerning defendant(s) military status required by Service Members Civil Relief Act was not filed, a motion for extension of time to answer or to file a responsive pleading is pending, by Clerk. Text Only Entry (athom,) (Entered: 10/05/2021)
10/05/2021	22	ORDER REFERRING MOTION: 20 MOTION for Default Judgment as to (or, in the Alternative, Setting of Date Certain for Answer) filed by Sara M Rogers. Motion referred to Magistrate Judge S. Kato Crews by Judge Daniel D. Domenico on 10/5/2021. Text Only Entry (dddlc4) (Entered: 10/05/2021)
10/13/2021	23	NOTICE re 8 MOTION to Stay <i>Proceedings</i> by Defendants Zach Ducheneaux, Thomas J. Vilsack (Attachments: # 1 Exhibit Miller Order Denying Motion to Opt Out of Certified Classes)(Newton, Emily) (Entered: 10/13/2021)
10/18/2021	24	NOTICE OF SUBSTITUTION by Plaintiff Sara M Rogers (McDonald, David) (Entered: 10/18/2021)
10/21/2021	25	NOTICE OF NONCOMPLIANCE WITH COURT RULES re: 24 Notice of Substitution filed by David C. McDonald. Under D.C.COLO.LAttyR 5(b), substitution of counsel is not permitted; a withdrawal of appearance by an attorney must be made on motion for good cause with appropriate notice as stated therein. "Substituting" counsel must file a notice of entry of appearance in the case pursuant to D.C.COLO.LAttyR 5(a). (rvill,) (Entered: 10/21/2021)
10/21/2021	26	NOTICE of Entry of Appearance by David C McDonald on behalf of Sara M RogersAttorney David C McDonald added to party Sara M Rogers(pty:pla) (McDonald, David) (Entered: 10/21/2021)
10/25/2021	27	RESPONSE to 20 MOTION for Default Judgment as to (<i>or, in the Alternative, Setting of Date Certain for Answer</i>) filed by Defendants Zach Ducheneaux, Thomas J. Vilsack. (Snow, Kyla) (Entered: 10/25/2021)
11/08/2021	28	MOTION to Withdraw as Attorney of <i>Corey C. Bartkus</i> by Plaintiff Sara M Rogers. (McDonald, David) (Entered: 11/08/2021)
11/08/2021	29	REPLY to Response to 20 MOTION for Default Judgment as to (<i>or, in the Alternative, Setting of Date Certain for Answer</i>) filed by Plaintiff Sara M Rogers. (McDonald, David) (Entered: 11/08/2021)

11/08/2021	30	ORDER granting 28 Motion to Withdraw as Attorney. The Clerk of Court is instructed to terminate attorney Corey C. Bartkus as counsel of record, and to remove this name from the electronic certificate of mailing. Plaintiff Sara M. Rogers will continue to be represented by attorney David C. McDonald. SO ORDERED by Judge Daniel D. Domenico on 11/8/2021. Text Only Entry(ddd1c4) (Entered: 11/08/2021)
11/11/2021	31	NOTICE of Entry of Appearance by Erin Marie Erhardt on behalf of Sara M RogersAttorney Erin Marie Erhardt added to party Sara M Rogers(pty:pla) (Erhardt, Erin) (Entered: 11/11/2021)
11/11/2021	32	NOTICE of Supplemental Authorities <i>in Opposition to Defendants' Motion to Stay</i> re: 8 MOTION to Stay <i>Proceedings</i> by Plaintiff Sara M Rogers (Attachments: # 1 Exhibit 1 - Order re Supplemental Authority)(Erhardt, Erin) (Entered: 11/11/2021)

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