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**U.S. District Court  
District of Colorado (Denver)  
CIVIL DOCKET FOR CASE #: 1:01-cv-00119-WYD-PAC**

EEOC v. Lithia Cent Chrys, et al  
Assigned to: Judge Wiley Y. Daniel  
Referred to: Magistrate Judge Patricia A. Coan  
Demand: \$0  
Cause: 42:2000 Job Discrimination (Race)

Date Filed: 01/22/2001  
Date Terminated: 09/23/2002  
Jury Demand: Both  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Mia Ellen Bitterman**  
Equal Employment Opportunity  
Commission-Colorado  
303 East 17th Avenue  
#510  
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303-866-1300  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Rita Byrnes Kittle**  
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**Intervenor Plaintiff**

**Lenny Merritt**  
*TERMINATED: 09/25/2002*

represented by **Charlotte Noelle Sweeney**  
LaFond & Sweeney, LLC  
1756 Gilpin Street  
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Email: cns@lafond-sweeney.com  
*TERMINATED: 09/25/2002*  
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**Intervenor Plaintiff**

**Willie Hayes**

represented by **Charlotte Noelle Sweeney**

*TERMINATED: 09/25/2002*

(See above for address)  
*TERMINATED: 09/25/2002*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Lithia Centennial Chrysler Plymouth  
Jeep, Inc.**  
*doing business as*  
Centennial Chrysler Plymouth

represented by **David J. Reese**  
Fisher & Phillips-Okland California  
501 - 14th Street  
#200  
Oakland, CA 94612  
510-763-4411  
Fax: 763-4418  
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**Mark M. Haynes**  
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**Patrick T. Murphy**  
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510-763-4411  
Fax: 763-4418  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**L.A.H. Automotive Enterprises, Inc.**

represented by **David J. Reese**

(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Timothy J. Murphy**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Moreland Auto Group**

represented by **Kenneth L. Keene, Jr.**  
 Kenneth L. Keene, Jr., Attorney at Law  
 501 South Cherry Street  
 Denver, CO 80246-1328  
 303-320-0100  
 Fax: 303-399-4680  
 Email: Keene2U2@aol.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Intervenor**

**Louis Lenox**  
**TERMINATED: 09/25/2002**

represented by **Charlotte Noelle Sweeney**  
 (See above for address)  
**TERMINATED: 09/25/2002**  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

| <b>Date Filed</b> | <b>#</b> | <b>Docket Text</b>                                                                                                                                  |
|-------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| 01/22/2001        | 1        | COMPLAINT (Summons(es) not issued); jury demand (former empl) (Entered: 01/23/2001)                                                                 |
| 01/22/2001        | 2        | LETTER from court to pla's counsel re case reassigned to Judge Daniel (former empl) (Entered: 01/23/2001)                                           |
| 01/26/2001        | 3        | CERTIFICATE of mailing by plaintiff of Notice of Availability of Magistrate Judge (former empl) (Entered: 01/29/2001)                               |
| 03/05/2001        | 4        | WAIVER OF SERVICE of Summons and Complaint by defendant Lithia Cent Chrys on 1/23/01 (former empl) (Entered: 03/06/2001)                            |
| 03/30/2001        | 5        | ANSWER by Dft Lithia Cent Chrys to complaint [1-1]; jury demand (erv) (Entered: 04/03/2001)                                                         |
| 04/03/2001        | 6        | ORDER R16,stat,slmt,pt,pto Case referred to Magistrate Judge Patricia A. Coan by Judge Wiley Y. Daniel (cc: to counsel) (erv) (Entered: 04/04/2001) |
| 04/05/2001        | 7        | ATTORNEY APPEARANCE for plaintiff EEOC by Rita Byrnes Kittle (erv) (Entered: 04/09/2001)                                                            |
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| 04/19/2001 | 8  | ORDER FOR RULE 16 CONFERENCE by Magistrate Judge Patricia A. Coan ; Rule 16 conference set for 8:30 5/31/01 (cc: all counsel) (lam) (Entered: 04/21/2001)                                                                                                                                                  |
| 05/31/2001 | 9  | SCHEDULING ORDER Magistrate Judge Patricia A. Coan ; Discovery cutoff 12/31/01 ;dispositive motions due 1/25/02 settlement conference 3:00 9/4/01 ;pretrial conference set 10:30 4/1/02 (cc: all counsel) (erv) (Entered: 06/04/2001)                                                                      |
| 05/31/2001 | 10 | COURTROOM MINUTES by Magistrate Judge Patricia A. Coan ; Suppl Dispo Schedul 7/2/01, Rule 26(a)3) witness exchange 3/15/02, Updated Confidential Statements 8/28/01,settlement conf 9/4/01 at 3:00, 4/1/02 at 10:30 entry date : 6/5/01 Court Reporter: PAC Civil Tape 2001-61 (erv) (Entered: 06/05/2001) |
| 06/26/2001 | 11 | SUPPLEMENT by Pla EEOC to scheduling Order [9-1] (erv) (Entered: 06/26/2001)                                                                                                                                                                                                                               |
| 07/13/2001 |    | Tendered Amended Complaint submitted by plaintiff EEOC re: motion for leave to file an Amended Complaint and jury Trial Demand [13-1] (erv) (Entered: 07/20/2001)                                                                                                                                          |
| 07/17/2001 | 12 | NOTICE of Change of Address of Timothy J. Murphy csl for Dfts (erv) (Entered: 07/19/2001)                                                                                                                                                                                                                  |
| 07/20/2001 | 13 | MOTION by plaintiff EEOC for leave to file an Amended Complaint and jury Trial Demand (erv) (Entered: 07/20/2001)                                                                                                                                                                                          |
| 07/23/2001 | 14 | MEMORANDUM by Judge Wiley Y. Daniel referring to Magistrate Judge Patricia A. Coan the Plas' motion for leave to file an Amended Complaint and jury Trial Demand [13-1] regarding [1-1] complaint (erv) (Entered: 07/25/2001)                                                                              |
| 07/24/2001 | 15 | MINUTE ORDER : by Magistrate Judge Patricia A. Coan regarding [13-1] pla's motion for leave to file an Amended complaint and jury trial demand, dfts' responses due by 8/1/01 (cc: all counsel) ; entry date : 7/26/01 (lam) (Entered: 07/26/2001)                                                         |
| 08/07/2001 | 16 | ORDER by Magistrate Judge Patricia A. Coan granting Pla's motion for leave to file an Amended Complaint and jury Demand [13-1] (cc: all counsel) ; entry date : 8/9/01 (erv) (Entered: 08/09/2001)                                                                                                         |
| 08/07/2001 | 17 | AMENDED COMPLAINT [1-1] by plaintiff EEOC; jury demand; adding defendant L.A.H. Automotive Enterprises, Inc, and Moreland Auto Group, LLC (erv) (Entered: 08/09/2001)                                                                                                                                      |
| 09/05/2001 | 19 | MEMORANDUM by Magistrate Judge Patricia A. Coan the first settlement conference was held. (erv) (Entered: 09/10/2001)                                                                                                                                                                                      |
| 09/06/2001 | 18 | MINUTE ORDER : by Magistrate Judge Patricia A. Coan, a further ; settlement conf set for 8:00 10/30/01 (cc: all counsel) ; entry date : 9/7/01 (erv) (Entered: 09/07/2001)                                                                                                                                 |
| 09/19/2001 | 20 | RETURN OF SERVICE of Summons and Amd Complaint upon Doug                                                                                                                                                                                                                                                   |

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|            |    | Moreland, their agent, via his secretary Kim Espinola for defendant Moreland Auto Group on 8/22/01 and upon Harden Holmes, their agent, via secretary Barbara Baines for defendant L.A.H. Automotive on 8/16/01 (gms) (Entered: 09/21/2001)                           |
| 10/09/2001 | 21 | ANSWER by defendant Lithia Cent Chrys, defendant L.A.H. Automotive to complaint [17-1]; jury demand (erv) (Entered: 10/09/2001)                                                                                                                                       |
| 10/09/2001 | 22 | ANSWER by defendant Moreland Auto Group to complaint [17-1] (erv) (Entered: 10/11/2001)                                                                                                                                                                               |
| 10/26/2001 | 23 | Joint MOTION by plaintiff, defendant to vacate and reschedule settlement conference set fo 10/30/01 at 8:00 (erv) (Entered: 10/29/2001)                                                                                                                               |
| 10/29/2001 | 25 | MEMORANDUM by Judge Wiley Y. Daniel referring to Magistrate Judge Patricia A. Coan the Joint motion to vacate and reschedule settlement conference set fo 10/30/01 at 8:00 [23-1] (erv) (Entered: 11/01/2001)                                                         |
| 10/30/2001 | 24 | MINUTE ORDER : by Magistrate Judge Patricia A. Coan granting Joint motion to vacate and reschedule settlement conference set fo 10/30/01 at 8:00 [23-1] ; settlement conf reset for 3:00 1/8/02 (cc: all counsel) ; entry date : 10/31/01 (erv) (Entered: 10/31/2001) |
| 11/30/2001 | 26 | MOTION by Louis Lenox, Willie T. Hayes, Lenny Merritt for leave to Intervene as Plaintiffs' (erv) (Entered: 12/03/2001)                                                                                                                                               |
| 11/30/2001 | 27 | Certificate of Compliance re: motion for leave to Intervene as Plaintiffs' [26-1] (erv) (Entered: 12/03/2001)                                                                                                                                                         |
| 12/03/2001 | 28 | MEMORANDUM by Judge Wiley Y. Daniel referring to Magistrate Judge Patricia A. Coan the motion for leave to Intervene as Plaintiffs' [26-1] (erv) (Entered: 12/04/2001)                                                                                                |
| 12/04/2001 | 29 | MINUTE ORDER : by Magistrate Judge Patricia A. Coan regarding Intervenor's [26-1] motion for leave to Intervene as Plaintiffs'; Pla's and Dfts' responses are due on or before 12/14/01 (cc: all counsel) ; entry date : 12/5/01 (erv) (Entered: 12/05/2001)          |
| 12/11/2001 | 30 | Statement of Non-Opposition (RESPONSE) by defendant Lithia Cent Chrys to motion for leave to Intervene as Plaintiffs' [26-1] (erv) (Entered: 12/12/2001)                                                                                                              |
| 12/14/2001 | 31 | RESPONSE by plaintiff EEOC to Lenox, Hayes and Merritt's motion for leave to intervene [26-1] (lam) (Entered: 12/17/2001)                                                                                                                                             |
| 12/27/2001 | 32 | Unopposed MOTION by plaintiff EEOC to extend for one month the discovery ddl (erv) (Entered: 12/27/2001)                                                                                                                                                              |
| 12/27/2001 | 33 | MEMORANDUM by Judge Wiley Y. Daniel referring to Magistrate Judge Patricia A. Coan the Unopposed motion to extend for one month the discovery ddl [32-1] (erv) (Entered: 12/27/2001)                                                                                  |
| 12/28/2001 | 34 | MINUTE ORDER : by Magistrate Judge Patricia A. Coan granting the                                                                                                                                                                                                      |

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|            |    | unopposed motion to extend for one month the discovery ddl [32-1] discovery ddl reset 1/31/02 (cc: all counsel) ; entry date : 12/28/01 (erv) (Entered: 12/28/2001)                                                                                                                                                                                          |
| 12/28/2001 | 35 | MINUTE ORDER : by Magistrate Judge Patricia A. Coan granting motion for leave to Intervene as Plaintiffs' [26-1] Dfts answers or other responses to the Complaint in Intervention are due on or before 1/22/02 (cc: all counsel) ; entry date : 12/31/01 (erv) (Entered: 12/31/2001)                                                                         |
| 12/28/2001 | 36 | INTERVENOR'S COMPLAINT by Intervenor Plas' Lenny Merritt, Willie Hayes, Louis Lenox (erv) Modified on 12/31/2001 (Entered: 12/31/2001)                                                                                                                                                                                                                       |
| 01/02/2002 | 37 | Unopposed MOTION by Pla's Lenny Merritt, Willie Hayes, Louis Lenox to vacate Settlement Conference (erv) (Entered: 01/03/2002)                                                                                                                                                                                                                               |
| 01/03/2002 | 38 | MEMORANDUM by Judge Wiley Y. Daniel referring to Magistrate Judge Patricia A. Coan the Pla's motion to vacate Settlement Conference [37-1] (erv) (Entered: 01/04/2002)                                                                                                                                                                                       |
| 01/04/2002 | 39 | MINUTE ORDER : by Magistrate Judge Patricia A. Coan granting Individual Pla's motion to vacate Settlement Conference [37-1] , ; settlement conf reset for 1:30 3/7/02 (cc: all counsel) entry date : 1/7/02 (erv) (Entered: 01/07/2002)                                                                                                                      |
| 01/22/2002 | 40 | MOTION by Dfts Lithia Cent Chrys, L.A.H. Automotive, Moreland Auto Group to dismiss Complaint in Intervention for Lack of Subject matter Jurisdiction (12)(b)(1), Failure to state a Claim upon which relief may be Granted (12)(b)(6) (erv) (Entered: 01/22/2002)                                                                                           |
| 01/22/2002 | 41 | CERTIFICATE of Service by Dfts' re: Motion to Dismiss (erv) (Entered: 01/22/2002)                                                                                                                                                                                                                                                                            |
| 01/22/2002 | 42 | DECLARATION of David Reese re: motion to dismiss Complaint in Intervention for Lack of Subject matter Jurisdiction (12)(b)(1), Failure to state a Claim upon which relief may be Granted (12)(b)(6) [40-1] (erv) (Entered: 01/22/2002)                                                                                                                       |
| 01/23/2002 | 43 | MINUTE ORDER : by Judge Wiley Y. Daniel setting hearing on Dfts motion to dismiss Complaint in Intervention for Lack of Subject matter Jurisdiction (12)(b)(1), Failure to state a Claim upon which relief may be Granted (12)(b)(6) [40-1] 1:30 8/16/02, Pla shall respond by 2/22/02. (cc: all counsel) ; entry date : 1/23/02 (erv) (Entered: 01/23/2002) |
| 01/30/2002 | 44 | Unopposed MOTION by Individual Plas Lenny Merritt, Willie Hayes, Louis Lenox to extend Discovery DDL's (erv) (Entered: 01/31/2002)                                                                                                                                                                                                                           |
| 01/31/2002 | 45 | MEMORANDUM by Judge Wiley Y. Daniel referring to Magistrate Judge Patricia A. Coan the Pla's motion to extend Discovery DDL's [44-1] (erv) (Entered: 01/31/2002)                                                                                                                                                                                             |
| 02/05/2002 | 46 | MINUTE ORDER : by Magistrate Judge Patricia A. Coan granting Individual Plas' motion to extend Discovery DDL's [44-1] ; discovery ddl reset 4/1/02 ; status conf set for 1:15 3/7/02 ; pto ddl set for 4/26/02 ;                                                                                                                                             |

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|            |    | pretrial conf reset for 9:00 5/1/01 ; settlement conf set for 1:30 4/5/02 (cc: all counsel) ; entry date : 2/6/02 (erv) (Entered: 02/06/2002)                                                                                                                                                                                                                   |
| 02/08/2002 | 47 | ANSWER by defendant Moreland Auto Group to complaint in Intervention [36-1] (erv) (Entered: 02/11/2002)                                                                                                                                                                                                                                                         |
| 02/12/2002 | 49 | CERTIFICATE of Service by defendant Lithia Cent Chrys of Amended Motion to Dismiss Complaint in Intervention (erv) (Entered: 02/13/2002)                                                                                                                                                                                                                        |
| 02/12/2002 | 48 | AMENDED MOTION by defendant Lithia Cent Chrys to dismiss Complaint in Intervention for lack of subject matter jurisdiction terminating motion to dismiss Complaint in Intervention for Lack of Subject matter Jurisdiction (12)(b)(1), Failure to state a Claim upon relief may be Granted (12)(b)(6) [40-1] (erv) Modified on 08/07/2002 (Entered: 08/07/2002) |
| 02/22/2002 | 50 | RESPONSE by Individual Pla's Lenny Merritt, Willie Hayes, Louis Lenox to motion to dismiss complaint in Intervention for Lack of Subject matter jurisdiction and Failure to state a Claim upon which Relief may be Granted [48-1] (erv) (Entered: 02/25/2002)                                                                                                   |
| 03/05/2002 | 52 | REPLY Brief by defendant Lithia Cent Chrys to Intervenors response to Dft Lithia's motion to dismiss Complaint in Intervention for Lack of Subject matter Jurisdiction (12)(b)(1), Failure to state a Claim upon which relief may be Granted (12)(b)(6) [40-1] (erv) (Entered: 03/11/2002)                                                                      |
| 03/07/2002 | 51 | COURTROOM MINUTES of Status Conf by Magistrate Judge Patricia A. Coan ; discovery ddl reset 7/1/02 ; pto ddl set for 8/22/02 ; pretrial conf set for 9:30 8/23/02 ; settlement conf set 1:30 7/23/02 ; entry date : 7/19/02 Court Reporter: PAC Civil Tape 2002-31 (erv) (Entered: 07/19/2002)                                                                  |
| 03/08/2002 | 53 | MINUTE ORDER : by Judge Wiley Y. Daniel motion to dismiss Complaint in Intervention for Lack of Subject matter Jurisdiction (12)(b)(1), Failure to state a Claim upon which relief may be Granted (12)(b)(6) [40-1] hearing reset for 9:00 8/28/02 (cc: all counsel) ; entry date : 3/11/02 (erv) (Entered: 03/11/2002)                                         |
| 07/24/2002 | 54 | MEMORANDUM by Magistrate Judge Patricia A. Coan ; settlement conf held 7/24/02 (lam) (Entered: 07/25/2002)                                                                                                                                                                                                                                                      |
| 07/24/2002 | 55 | MINUTE ORDER : by Magistrate Judge Patricia A. Coan ; pto ddl set for 9/13/02 ; pretrial conf reset for 9:00 9/18/02 (cc: all counsel) ; entry date : 7/25/02 (lam) (Entered: 07/25/2002)                                                                                                                                                                       |
| 07/30/2002 | 56 | Unopposed MOTION by plaintiff EEOC to reset the Final Pre-Trial Conf from 9/18/02 at 9:00 to 9/16/02 at 9:00 (erv) (Entered: 07/31/2002)                                                                                                                                                                                                                        |
| 07/31/2002 | 57 | MEMORANDUM by Judge Wiley Y. Daniel referring to Magistrate Judge Patricia A. Coan the Pla's Unopposed motion to reset the Final Pre-Trial Conf from 9/18/02 at 9:00 to 9/16/02 at [56-1] (erv) (Entered: 08/02/2002)                                                                                                                                           |
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| 08/06/2002 | 58 | MINUTE ORDER : by Magistrate Judge Patricia A. Coan granting Unopposed motion to reset the Final Pre-Trial Conf from 9/18/02 at 9:00 to 9/16/02 at 9:00 [56-1] ; pto ddl reset 9/11/02 ; pretrial conf reset for 9:00 9/16/02 (cc: all counsel) ; entry date : 8/7/02 (erv) (Entered: 08/07/2002)                                                                       |
| 08/16/2002 | 59 | Disclosure STATEMENT by defendant Lithia Cent Chrysler Plymouth Jeep,Inc., pursuant to Colorado Local Rules of Civil Rule 7.4 (erv) (Entered: 08/16/2002)                                                                                                                                                                                                               |
| 08/19/2002 | 60 | Withdrawal (ATTORNEY SUBSTITUTION)and Entry of Appearance: terminating attorney Mark M. Haynes for Lithia Cent Chrys and substituting attorney Patrick T. Murphy (erv) (Entered: 08/20/2002)                                                                                                                                                                            |
| 08/23/2002 | 61 | Unopposed MOTION by Dfts' to continue the hrg on Motion to Dismiss Complaint in Intervention set for 8/28/02 (erv) (Entered: 08/23/2002)                                                                                                                                                                                                                                |
| 08/26/2002 | 62 | MINUTE ORDER : by Judge Wiley Y. Daniel granting Dfts Unopposed motion to continue the hrg on Motion to Dismiss Complaint in Intervention set for 8/28/02 [61-1] Resetting hearing on motion to dismiss Complaint in Intervention for lack of subject matter jurisdiction [48-1] 2:00 9/19/02 (cc: all counsel) ; entry date : 8/26/02 (erv) (Entered: 08/26/2002)      |
| 09/10/2002 | 63 | Unopposed MOTION by plaintiff EEOC to vacate and reschedule Pre-Trial Conf or, in the Alternative, change the scheduled Pre-Trial conf to a Settlement Conf set for 9/16/02 (erv) (Entered: 09/11/2002)                                                                                                                                                                 |
| 09/11/2002 | 64 | MEMORANDUM by Judge Wiley Y. Daniel referring to Magistrate Judge Patricia A. Coan the Pla's Unopposed motion to vacate and reschedule Pre-Trial Conf or, in the Alternative, change scheduled Pre-Trial conf to a Settlement Conf set for 9/16/02 [63-1] (erv) (Entered: 09/12/2002)                                                                                   |
| 09/11/2002 | 65 | NOTICE of Withdrawl of by defendant Lithia Cent Chrys re: motion to dismiss Complaint in Intervention for lack of subject matter jurisdiction [48-1] (erv) (Entered: 09/12/2002)                                                                                                                                                                                        |
| 09/12/2002 | 66 | MINUTE ORDER : by Magistrate Judge Patricia A. Coan granting in part the Unopposed motion to vacate and reschedule Pre-Trial Conf in the Alternative, change the scheduled Pre-Trial conf to Settlement Conf set for 9/16/02 [63-1] ; pto ddl set for 9/30/02 ; pretrial conf set for 8:30 10/4/02 (cc: all counsel) ; entry date : 9/12/02 (erv) (Entered: 09/12/2002) |
| 09/12/2002 | 67 | MINUTE ORDER : by Judge Wiley Y. Daniel, the parties shall file a joint status report ; status report ddl set for 10/4/02 (cc: all counsel) ; entry date : 9/12/02 (erv) (Entered: 09/12/2002)                                                                                                                                                                          |
| 09/19/2002 | 68 | Joint Stipulation (MOTION) by pla EEOC and dfts Lithia Cent Chrys, L.A.H. Automotive for dismissal with prejudice (pap) (Entered: 09/20/2002)                                                                                                                                                                                                                           |
| 09/23/2002 | 69 | ORDER by Judge Wiley Y. Daniel granting the Joint Stipulated motion                                                                                                                                                                                                                                                                                                     |

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|            |    | for dismissal with prejudice [68-1] dismissing case Each party to bear its own costs and Atty fees (cc: all counsel) ; entry date : 9/24/02 (erv) (Entered: 09/24/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 09/24/2002 | 70 | Joint Stipulated MOTION by defendant Moreland Auto Group, intervenor-plaintiff Lenny Merritt, intervenor-plaintiff Willie Hayes, intervenor Louis Lenox, defendant Lithia Cent Chrys, defendant L.A.H. Automotive to dismiss this action with prejudice (erv) (Entered: 09/27/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 09/25/2002 | 71 | ORDER of Dismissal with prejudice by Judge Wiley Y. Daniel granting the Joint Stipulated motion to dismiss this action with prejudice [70-1] dismissing party Louis Lenox, party Willie Hayes, party Lenny Merritt (cc: all counsel) ; entry date : 9/27/02 (erv) (Entered: 09/27/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 09/30/2002 | 72 | Joint MOTION by plaintiff, defendant, intervenor-plaintiff, intervenor to dismiss with Prejudice Subject to Consent Decree (erv) (Entered: 10/01/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 10/04/2002 | 73 | ORDER by Judge Wiley Y. Daniel granting Joint motion to dismiss with Prejudice Subject to Consent Decree [72-1] dismissing case (cc: all counsel) ; entry date : 10/4/02 (erv) (Entered: 10/04/2002)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 10/04/2002 | 74 | CONSENT DECREE by Judge Wiley Y. Daniel pursuant to [73-2] order; It is ORDERED, ADJUDGED, AND DECREED AS FOLLOWS: The Commission and Dft Moreland stipulate to the jurisdiction of the Ct over the Commission and Dft Moreland. This Decree, being voluntarily entered into by the Commission and the Dft Moreland, shall not constitute an admission or an adjudication of the merits or the damages of this case. This decree is final and binding upon the Commission and Dft Moreland as to the issues resolved, as well as upon their successors and assigns. The Duration of the Decree shall be three yrs from the date of the signing by the Court, subject to the reporting provisions at Section IV (G); This decree resolves all claims for damages the Pla has against Dft arising out of the issues and claims set forth. Dft Moreland and its officers, agents, employees, successors, and all other persons in active concert or participation with any of them will not interfere with the relief herein ordered, but shall cooperate in the implementation of this decree (cc: all counsel) ; entry date : 10/7/02 (erv) (Entered: 10/07/2002) |

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