

**United States District Court  
District of Nevada (Reno)  
CIVIL DOCKET FOR CASE #: 3:04-cv-00229-DAE-RAM**

U.S. Equal Employment Opportunity Commission VS Scolari  
Warehouse Markets, et al.  
Assigned to: Judge David A. Ezra  
Referred to: Magistrate Judge Robert A. McQuaid, Jr  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 05/06/2004  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**U.S. Equal Employment Opportunity  
Commission**

represented by **Anna Park**  
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V.

**Defendant**

**Scolari Warehouse Markets, Inc, a Nv  
Corp, dba Scolari Food and Drug**

represented by **Lesia Wilson**  
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| Date Filed | #        | Docket Text                                                                                                                                                         |
|------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/06/2004 | <u>1</u> | MISCELLANEOUS DOCUMENT obo P (Entered: 05/07/2004)                                                                                                                  |
| 05/06/2004 | <u>2</u> | COMPLAINT obo P. (Entered: 05/07/2004)                                                                                                                              |
| 05/06/2004 | <u>3</u> | SUMMONS ISSUED as to Scolari Warehouse. (Entered: 05/07/2004)                                                                                                       |
| 05/26/2004 | <u>4</u> | ACCEPTANCE OF SERVICE obo Scholaris Warehouse. (Entered: 05/27/2004)                                                                                                |
| 07/01/2004 | <u>5</u> | AMENDED COMPLAINT with jury trial demand obo P (Entered: 07/02/2004)                                                                                                |
| 07/12/2004 | <u>6</u> | MOTION TO DISMISS for failure to conciliate as required by Title 7 of the CRA of 1964 obo D. (Entered: 07/13/2004)                                                  |
| 07/12/2004 | <u>7</u> | STATEMENT of material facts not in dispute in spt of mtn to dismiss #6 obo D. (Entered: 07/13/2004)                                                                 |
| 07/13/2004 | <u>8</u> | ORDER above entitled action is hereby reassigned to the Hon Howard D. McKibben, USDJ for all fur proceed. cnsl are advs that all fur doc sh bear the correct case # |

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|            |           | CV-N-04-0229-HDM RAM. Clk of Crt is dir to change the file and dkt to reflect this reass (Entered: 07/14/2004)                                                                                                                                               |
| 07/23/2004 | <u>9</u>  | VERIFIED PETITION FOR PERMISSION TO PRACTICE PRO HAC VICE of Ray Artiano cnsI for D Scolari's Receipt 16447 (Entered: 07/26/2004)                                                                                                                            |
| 07/23/2004 | <u>10</u> | DESIGNATION OF LOCAL COUNSEL of Mirandu Du, loc cnsI for out of state cnsI Ray Artiano (Entered: 07/26/2004)                                                                                                                                                 |
| 07/23/2004 | <u>11</u> | VERIFIED PETITION FOR PERMISSION TO PRACTICE PRO HAC VICE of Lesa Wilson, out of state cnsI for D, Scolari's. receipt 16447 (Entered: 07/26/2004)                                                                                                            |
| 07/23/2004 | <u>12</u> | DESIGNATION OF LOCAL COUNSEL of Miranda Du, loc cnsI for out of state cnsI Lesa Wilson. cnsI for D (Entered: 07/26/2004)                                                                                                                                     |
| 07/30/2004 | <u>13</u> | RESPONSE IN OPPOSITION TO MOTION to D mtn to dism #6 obo P. (Entered: 08/02/2004)                                                                                                                                                                            |
| 07/30/2004 | <u>14</u> | OBJECTION TO REPORT AND RECOMMENDATIONS to D mtn to dism #6 and request to exclude from D moving papers factual material extraneous to the pleadings or in the alt to strike the mtn and supporting materials in their entirety obo P. (Entered: 08/02/2004) |
| 08/02/2004 | <u>15</u> | MISCELLANEOUS DOCUMENT to oppo #13 to mtn dism #6 obo P. (Entered: 08/03/2004)                                                                                                                                                                               |
| 08/12/2004 | <u>16</u> | REPLY TO RESPONSE TO MOTION in supprt of Rule 12(b)(6) mtn to dism (#6) obo D. (m) (Entered: 08/13/2004)                                                                                                                                                     |
| 08/12/2004 | <u>17</u> | MISCELLANEOUS DOCUMENT declaratn of Ray J. Artiano in supprt of 12(b)(6) mtn to dism (#6) obo D. (m) (Entered: 08/13/2004)                                                                                                                                   |
| 08/12/2004 | <u>18</u> | RESPONSE IN OPPOSITION TO MOTION to Ps objectn to mtn or in the alt to strk (# ) obo D. (m) (Entered: 08/13/2004)                                                                                                                                            |
| 09/10/2004 | <u>19</u> | CERTIFICATE OF INTERESTED PARTIES obo D. (Entered: 09/13/2004)                                                                                                                                                                                               |
| 09/14/2004 | <u>20</u> | ORDER parties have 5 days from date of receipt of this m/o to submit said disc plan and sched order (Entered: 09/14/2004)                                                                                                                                    |
| 09/20/2004 |           | MISCELLANEOUS DOCUMENT disc plan and sched order this date (Entered: 09/21/2004)                                                                                                                                                                             |
| 09/28/2004 | <u>21</u> | SCHEDULING ORDER discovery c/o 4/8/05; dispositive mtns c/o 5/7/05; PTO due 6/7/05; maj packet sent to parties (Entered: 09/30/2004)                                                                                                                         |
| 10/07/2004 | <u>22</u> | NOTICE OF CHANGE OF ADDRESS law firm from Stutz Gallagher, Artiano, Shinoff and Holtz to Stutz Artiano Shinoff &Holtz. suite #1500 . correct zip code is 92101-7906. (Entered: 10/12/2004)                                                                   |
| 11/17/2004 | <u>23</u> | MOTION FOR MISCELLANEOUS RELIEF for partial sstay or disc pend decision on mtn to dism obo D. (Entered: 11/17/2004)                                                                                                                                          |
| 11/17/2004 | <u>24</u> | MISCELLANEOUS DOCUMENT to mtn to dism #6 obo D. (Entered: 11/17/2004)                                                                                                                                                                                        |
| 11/17/2004 | <u>25</u> | MOTION FOR MISCELLANEOUS RELIEF to supplement mtn to dism #6 obo P. (Entered: 11/17/2004)                                                                                                                                                                    |
| 11/17/2004 | <u>26</u> | MOTION FOR MISCELLANEOUS RELIEF for disc guidance obo D. (Entered: 11/17/2004)                                                                                                                                                                               |

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| 12/06/2004 | <u>27</u> | RESPONSE IN OPPOSITION TO MOTION to mtn to supplement mtn to dism #25 obo P. (Entered: 12/07/2004)                                                                                                                                                                               |
| 12/06/2004 | <u>28</u> | RESPONSE IN OPPOSITION TO MOTION to mtn for disc guidance #26 obo P. (Entered: 12/07/2004)                                                                                                                                                                                       |
| 12/16/2004 | <u>29</u> | ORDER Ds mtn to dism #6 is denied without prej to be renewed as a mtn for S/J. P's req to exclude frm D's moving papers factual material #14 is granted. D's mtn to supplement its mtn to dis #25 is denied. (Entered: 12/17/2004)                                               |
| 12/17/2004 | <u>30</u> | REPLY TO RESPONSE TO MOTION in spt of mtn to supplement #25 obo D. (Entered: 12/20/2004)                                                                                                                                                                                         |
| 12/20/2004 | <u>31</u> | REPLY TO RESPONSE TO MOTION in spt of mtn for disc guidance #26 obo D. (Entered: 12/21/2004)                                                                                                                                                                                     |
| 12/20/2004 | <u>32</u> | ORDER D's mtn for partial Stay #23 is denied as moot. (Entered: 12/21/2004)                                                                                                                                                                                                      |
| 12/20/2004 | <u>33</u> | ORDER teleph hrng set for 1/18/05 130pm re D's mtn for disc guidance #26 and P's counter mtn for protective order #28. cnsl notif. (Entered: 12/21/2004)                                                                                                                         |
| 12/30/2004 | <u>34</u> | ANSWER TO COMPLAINT to first amend complaint #5 obo D. (Entered: 01/03/2005)                                                                                                                                                                                                     |
| 01/04/2005 | <u>35</u> | REPLY TO RESPONSE TO MOTION to D oppo to P counter mtn for protective order obo P. (Entered: 01/04/2005)                                                                                                                                                                         |
| 01/18/2005 | <u>36</u> | MISCELLANEOUS HEARING re mtns #26 and 28 dtd 1/18/05: Ord that McClinton will ID the people with whom the EECO has agreement to be part of this case. They will be the claimants. the other people who McClinton has a good reason to believe may join wil (Entered: 01/19/2005) |
| 02/02/2005 | <u>37</u> | MOTION FOR PROTECTIVE ORDER and for sanctions (emerg) obo D (Entered: 02/03/2005)                                                                                                                                                                                                |
| 02/03/2005 | <u>38</u> | ORDER hrng set for 2/11/05 230pm re D mtn for protective order and sanction #37. courtesy copy of P rspn sh be sent ot chambers by 2/10/05. cnsl notif. (Entered: 02/04/2005)                                                                                                    |
| 02/08/2005 | <u>39</u> | REPLY TO RESPONSE TO MOTION in spt of mtn for protective order and sanctions #37 obo D. (Entered: 02/09/2005)                                                                                                                                                                    |
| 02/11/2005 | <u>40</u> | RESPONSE IN OPPOSITION TO MOTION to mtn for protective ord &for sanctns (#37) obo P. (f) (Entered: 02/15/2005)                                                                                                                                                                   |
| 02/11/2005 | <u>41</u> | MISCELLANEOUS HEARING (Dtd: 2/11/05) ORD tht mtn for protective ord &for sanctns (#37) is tkn under submission. Crt will iss a written ord. (Tape #05-025) (Entered: 02/15/2005)                                                                                                 |
| 02/17/2005 | <u>42</u> | STRICKEN DOCUMENT(S) 2nd supplmntl memo of law in supprt of mtn for protective ord &for sanctns obo D. (f/m) stricken and return per #45 (Entered: 02/17/2005)                                                                                                                   |
| 02/22/2005 | <u>43</u> | STRICKEN DOCUMENT(S) in spt of P oppo to D 2d supplemental reply obo P. stricken and rtn per #45 (Entered: 02/23/2005)                                                                                                                                                           |
| 02/22/2005 | <u>44</u> | STRICKEN DOCUMENT(S) and objctn to D's 2d supplemental reply obo P stricken and rtn per #45. (Entered: 02/23/2005)                                                                                                                                                               |
| 02/28/2005 | <u>45</u> | ORDER Doc #42, 43 44 therefore stricken and CLk sh rtn the doc to respective attys. (Entered: 03/01/2005)                                                                                                                                                                        |
| 02/28/2005 | <u>46</u> | ORDER D mtn for protective order and for sanctions #37 is denied. (Entered: 03/01/2005)                                                                                                                                                                                          |

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| 03/01/2005 | <u>47</u> | SCHEDULING ORDER disc c/o 12/25/05; dispo mtn c/o 1/20/06; PTNO 2/28/06 or 30 days (Entered: 03/02/2005)                                                                                                                                                                            |
| 03/04/2005 | <u>48</u> | MOTION FOR PROTECTIVE ORDER that deposition of Latayna Williams not be taken obo P. (Entered: 03/07/2005)                                                                                                                                                                           |
| 03/15/2005 | <u>49</u> | MOTION TO COMPEL responses to interrog and request for admissions, to compel production of withheld docs and for sanctions obo D. Scolari's. placed in separate folder due to size (Entered: 03/16/2005)                                                                            |
| 03/21/2005 | <u>50</u> | RESPONSE IN OPPOSITION TO MOTION to EEOC mtn for protective order #48 obo D. Scolari (Entered: 03/22/2005)                                                                                                                                                                          |
| 03/22/2005 | <u>51</u> | MISCELLANEOUS DOCUMENT to doc #50 re mtn for protective order #48 obo D (Entered: 03/23/2005)                                                                                                                                                                                       |
| 03/28/2005 | <u>52</u> | ORDER teleph hearing set 4/14/05 130pm re Ps mtn for protective order #48 and D mtn to comepl #49. courtroom dep will ilnitiate calls. cnsl notif. (Entered: 03/29/2005)                                                                                                            |
| 04/04/2005 | <u>53</u> | REPLY TO RESPONSE TO MOTION in spt of mtn for protect order #48 obo P. (Entered: 04/05/2005)                                                                                                                                                                                        |
| 04/04/2005 | <u>54</u> | RESPONSE IN OPPOSITION TO MOTION to mtn to compel #49 obo P (Entered: 04/05/2005)                                                                                                                                                                                                   |
| 04/07/2005 | <u>55</u> | REPLY TO RESPONSE TO MOTION in spt of mtn to compel #49 obo Ds. Scolari (Entered: 04/11/2005)                                                                                                                                                                                       |
| 04/15/2005 | <u>56</u> | MISCELLANEOUS HEARING re mtms #48 and 49 dtd 4/14/05: court grants mtn #48 for protective order to extent that depo of Ms Williams may be taken limited to the statements and the circumstances re the statements, but no as to any conciliation; Court order (Entered: 04/18/2005) |
| 07/15/2005 | <u>57</u> | MOTION FOR SUMMARY JUDGMENT obo D. (Entered: 07/18/2005)                                                                                                                                                                                                                            |
| 07/15/2005 | <u>58</u> | MOTION FOR MISCELLANEOUS RELIEF to file brief in excess of 30 pages in spt of mtn for S/J (#57) obo D. (brief attached in separate folder) (Entered: 07/18/2005)                                                                                                                    |
| 07/22/2005 | <u>59</u> | ORDER D mtn to file an oversized brief #58 is granted. (Entered: 07/25/2005)                                                                                                                                                                                                        |
| 08/08/2005 | <u>60</u> | AFFIDAVIT of Gregory L. McClinton in spt of dism and or stay of D's mtn for S/J and or for leave to conduct additional disc obo P. (Entered: 08/09/2005)                                                                                                                            |
| 08/09/2005 | <u>61</u> | MOTION FOR MISCELLANEOUS RELIEF to disqualify cnsl with declaration of Greogry L McClinon and exbt 1-4 obo P. (Entered: 08/10/2005)                                                                                                                                                 |
| 08/09/2005 | <u>62</u> | MOTION FOR MISCELLANEOUS RELIEF and application purs to FRCP Rule 56(f) and affid of Gregory L. McClinton for dism and or stay of D's mtn for summary judgment and or for leave to conduct addtnl disc obo P. (Entered: 08/10/2005)                                                 |
| 08/09/2005 | <u>63</u> | MISCELLANEOUS DOCUMENT unsigned order allow P req for D mtn for S/J be stayed until the disc c/o date of 12/25/05. (Entered: 08/10/2005)                                                                                                                                            |
| 08/09/2005 | <u>64</u> | ORDER P sh not be required to rspnd to D mtn for S/J until D responds to P mtn for a stay that was filed with teh court on 8/8/05 and the court rules on the mtn. (Entered: 08/10/2005)                                                                                             |
| 08/23/2005 | <u>65</u> | RESPONSE IN OPPOSITION TO MOTION to mtn and application #62 obo D. (Entered: 08/24/2005)                                                                                                                                                                                            |

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| 08/24/2005 | <u>66</u> | MISCELLANEOUS DOCUMENT to oppo #65 re mtn #62 re D. (Entered: 08/25/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 08/26/2005 | <u>67</u> | RESPONSE IN OPPOSITION TO MOTION to mtn to disqualify #61 obo D (Entered: 08/29/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 08/26/2005 | <u>68</u> | RESPONSE IN OPPOSITION TO MOTION to disqualify #61 obo D. (Entered: 08/29/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 09/08/2005 | <u>69</u> | REPLY TO RESPONSE TO MOTION in spt of mtn #62 obo P (Entered: 09/09/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 09/09/2005 | <u>70</u> | REPLY TO RESPONSE TO MOTION in spt of mtn to disqualify cnsl #62 obo P. (Entered: 09/12/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 09/12/2005 | <u>71</u> | MISCELLANEOUS DOCUMENT re mtn to disqualify #61 obo D (Entered: 09/13/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 09/20/2005 | <u>72</u> | ORDER D supplement #71 is withdrawn or in alt disregard till 9/16/05 (Entered: 09/21/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 09/28/2005 | <u>73</u> | ORDER hearing re Mtn to disqualify counsel #61 set for 10/18/05 9am (Entered: 09/30/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 10/18/2005 | <u>74</u> | MISCELLANEOUS HEARING (Dtd: 10/18/05) Hrg on Mtn to disq (#61); Mtn will be denied, but a written ord will follow. (FTR 9:01am-9:25am) (Entered: 10/20/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 10/26/2005 | <u>75</u> | ORDER P's mtn to disqualify cnsl #61 is denied. (Entered: 10/28/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 10/31/2005 | <u>76</u> | ORDER disc c/o 12/25/05; partiesd will exchange expoert info by 1/8/06; interim status rpt due by 12/25/05 (Entered: 11/01/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 11/04/2005 | <u>77</u> | MOTION for Sanctions against the EEOC re frivolous mtn to disqualify the law firm of Stutz Artiano Shinoff & Holtz, APC obo Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. Responses due by 11/22/2005. (WJ, ) (Entered: 11/10/2005)                                                                                                                                                                                                                                                                                                                                           |
| 11/16/2005 | 78        | ORDER action reassigned to the Honorable Brian E. Sandoval. Signed by Judge Philip M. Pro on 11/16/05. (LG, ) (Entered: 11/16/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 11/22/2005 | <u>79</u> | RESPONSE to <u>77</u> MOTION for Sanctions; filed by Plaintiff U.S. Equal Employment Opportunity Commission. Replies due by 12/6/2005. (JAR, ) (Entered: 12/05/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 12/05/2005 | <u>80</u> | STIPULATION – to ext the discovery c/o date by Plaintiff U.S. Equal Employment Opportunity Commission. (JAR, ) (Entered: 12/05/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 12/06/2005 | <u>81</u> | SCHEDULING ORDER pursuant to Stipulation to Extend the Discovery Cut Off Date <u>80</u> ; Discovery Cut-Off: March 31, 2006; Dispositive Motions: April 30, 2006; Joint Pretrial Order: May 30, 2006. Signed by Judge Robert A. McQuaid Jr. on 12/6/05. (HJ, ) (Entered: 12/06/2005)                                                                                                                                                                                                                                                                                                                            |
| 12/08/2005 | 82        | MINUTE ORDER IN CHAMBERS of the Honorable Robert A. McQuaid Jr., U.S. Magistrate Judge on 12/8/2005. By Deputy Clerk: GMM. A telephonic Hearing regarding the Motion for Sanctions <u>77</u> is set for 12/16/2005 10:00 AM in Reno Courtroom 2 before Magistrate Judge Robert A. McQuaid Jr. Counsel shall contact the courtroom deputy, Gina Mugnaini, at (775) 686-5758, two days in advance of the hearing to advise her of the telephone number(s) where they may be reached for the hearing. The courtroom deputy will initiate the conference call. The parties have been notified telephonically and by |



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|            |           | facsimile.(no image attached) (GMM, ) (Entered: 12/08/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 12/16/2005 | 83        | MINUTES OF PROCEEDINGS – Motion Hearing held on 12/16/2005 before Judge Robert A. McQuaid Jr.. Crtrm Administrator: <i>GMM</i> ; Pla Counsel: <i>Gregory McClinton</i> ; <i>Victor Veramontes</i> ; Def Counsel: <i>Ljubisa Kostic</i> ; Court Reporter/FTR #: <i>FTR</i> ; Time of Hearing: 9:58 a.m. to 10:26 a.m.. RE: <u>77</u> MOTION for Sanctions filed by Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug, The parties present their respective arguments to the Court. The Court finds that after Plaintiff had received the affidavits of Stutz, Artiano it was bad faith and a violation of Rule 11 to continue with the motion to disqualify as to Stutz, Artiano. The Court further finds that after receipt of the affidavits of Stutz, Artiano, the Plaintiff had no factual nor legal basis to continue the motion as to Stutz, Artiano. The Court GRANTS the Motion for Sanctions <u>77</u> and awards to Defendant and against the EEOC and Gregory McClinton the sum of \$4,000.00(no image attached) (GMM, ) (Entered: 12/16/2005) |
| 12/28/2005 | 84        | TRANSCRIPT of Proceedings: re telephonic mtn hrg held on 12/16/05 before Judge Robert A. McQuaid, Jr. Court Reporter: Donna Davidson. (SA, ) (Entered: 12/28/2005)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 01/04/2006 | <u>85</u> | First MOTION to Reconsider Magistrate Judge Order <i>Rule 11 Sanctions</i> by Plaintiff U.S. Equal Employment Opportunity Commission. Responses due by 1/22/2006. (McClinton, Gregory) (Entered: 01/04/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 01/04/2006 | <u>86</u> | Exhibits to <u>85</u> First MOTION to Reconsider Magistrate Judge Order <i>Rule 11 Sanctions</i> by Plaintiff U.S. Equal Employment Opportunity Commission. Responses due by 1/22/2006. (Attachments: # <u>1</u> Exhibit Exhibit 1# <u>2</u> Exhibit Exhibit 2# <u>3</u> Exhibit Exhibit 3# <u>4</u> Exhibit Exhibit 4# <u>5</u> Exhibit Exhibit 5# <u>6</u> Exhibit Exhibit 6# <u>7</u> Exhibit Exhibit 7# <u>8</u> Exhibit Exhibit 8# <u>9</u> Exhibit Exhibit 9# <u>10</u> Exhibit Exhibit 10# <u>11</u> Exhibit Exhibit 11# <u>12</u> Index Index of Exhibits# <u>13</u> Declaration Declaration of Anna Park# <u>14</u> Proposed Order Proposed Order)(McClinton, Gregory) Modified on 8/17/2006 to link to #85 (AF) (Entered: 01/04/2006)                                                                                                                                                                                                                                                                                                                             |
| 02/07/2006 | <u>87</u> | Submission of PROPOSED ORDER filed by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. RE: <i>DISCOVERY CUTOFF</i> (Kostic, Ljubisa) (Entered: 02/07/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 02/07/2006 | <u>88</u> | EX PARTE DOCUMENT <i>Request for Status Conference</i> filed by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. (Kostic, Ljubisa) (Entered: 02/07/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 02/07/2006 | <u>89</u> | AMENDED SCHEDULING ORDER pursuant to <u>87</u> Stipulation to Extend the Discovery Cut Off Date. New discovery deadline: 6/29/2006; Dispositive motions deadline: 7/29/2006; Joint Pretrial Order deadline: 8/28/2006. Signed by Judge Robert A. McQuaid Jr. (HJ, ) (Entered: 02/07/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 03/07/2006 | <u>90</u> | Third Party MOTION for Leave to Appear Appearance of Government Attorney. <i>Permit Appearance of Government Attorney</i> Attorney: Wilfredo Tungol. by Plaintiff U.S. Equal Employment Opportunity Commission. (Park, Anna) (Entered: 03/07/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 03/15/2006 | <u>91</u> | RESPONSE to <u>85</u> First MOTION to Reconsider Magistrate Judge Order <i>Rule 11 Sanctions</i> ; filed by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. Replies due by 3/29/2006. (Kostic, Ljubisa) (Entered: 03/15/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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| 03/15/2006 | <u>92</u>  | RESPONSE to <u>85</u> First MOTION to Reconsider Magistrate Judge Order <i>Rule 11 Sanctions</i> ; filed by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. <i>Declaration and Exhibits</i> Replies due by 3/29/2006. (Attachments: # <u>1</u> Exhibit Exhibits D – K)(Kostic, Ljubisa) (Entered: 03/15/2006)                                                                           |
| 03/16/2006 | <u>93</u>  | RESPONSE to <u>86</u> First MOTION to Reconsider Magistrate Judge Order <i>Rule 11 Sanctions</i> ; filed by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. <i>SUPPLEMENT</i> Replies due by 3/30/2006. (Kostic, Ljubisa) (Entered: 03/16/2006)                                                                                                                                         |
| 03/17/2006 | <u>94</u>  | ORDER granting <u>90</u> MOTION for Leave to Appear as of government attorney. Attorney: Wilfredo Tungol. by Plaintiff U.S. Equal Employment Opportunity Commission. (JAR, ) (Entered: 03/17/2006)                                                                                                                                                                                                                      |
| 03/29/2006 | <u>95</u>  | REPLY to Response to <u>85</u> First MOTION to Reconsider Magistrate Judge Order <i>Rule 11 Sanctions</i> ; filed by Plaintiff U.S. Equal Employment Opportunity Commission. (McClinton, Gregory) (Entered: 03/29/2006)                                                                                                                                                                                                 |
| 03/30/2006 | <u>96</u>  | DECLARATION of Gregory L. McClinton re <u>85</u> First MOTION to Reconsider Magistrate Judge Order <i>Rule 11 Sanctions</i> ; filed by Plaintiff U.S. Equal Employment Opportunity Commission. <i>Declaration in Support of Reply</i> (Attachments: # <u>1</u> Exhibit Notice of Filing, Proof of Service and Declaration)(McClinton, Gregory) (Entered: 03/30/2006)                                                    |
| 05/02/2006 | <u>97</u>  | STIPULATION TO EXTEND DISCOVERY CUT OFF DATE by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. (Kostic, Ljubisa) (Entered: 05/02/2006)                                                                                                                                                                                                                                                 |
| 05/02/2006 | <u>98</u>  | AMENDED SCHEDULING ORDER re <u>97</u> Stipulation to Extend Discovery Cut-Off Date. Discovery due by 9/27/2006. Motions due by 10/27/2006. Proposed Joint Pretrial Order due by 11/26/2006. Signed by Judge Robert A. McQuaid Jr. on 5/2/2006. (HJ, ) (Entered: 05/02/2006)                                                                                                                                             |
| 06/21/2006 | <u>99</u>  | MINUTE ORDER IN CHAMBERS of the Honorable Philip M. Pro, U.S. District Judge on 6/21/2006. By Deputy Clerk: Lia Griffin. IT IS ORDERED that this case is reassigned to Judge Howard D. McKibben for all further proceedings. Judge Brian E. Sandoval no longer assigned to case. All further documents must bear the correct case number 3:04-cv-00229-HDM-RAM. <b>(no image attached)</b> (LG, ) (Entered: 06/21/2006) |
| 06/22/2006 | <u>100</u> | ORDER tht the Magistrate Judge has extended discovery til 9/27/06, The D's Mtn for SJ doc # <u>57</u> is DENIED without prejudice to renew 15 days after the close of discovery. Signed by Judge Howard D. McKibben on 6/22/06. (SA, ) (Entered: 06/22/2006)                                                                                                                                                            |
| 08/07/2006 | <u>101</u> | ORDER denying <u>85</u> Motion to Reconsider Magistrate Judge Order; P-EEOC req to set aside rule 11 sanctions <u>85</u> is denied w/o prejudice, see ord for spec. Signed by Judge Howard D. McKibben on 8/7/06. (JAR, ) (Entered: 08/07/2006)                                                                                                                                                                         |
| 09/27/2006 | <u>102</u> | STIPULATION JOINT APPLICATION AND STIPULATION RE: DEPOSITION, MOTION SCHEDULE, EXPERT REPORT AND [PROPOSED] ORDER by Plaintiff U.S. Equal Employment Opportunity Commission. (McClinton, Gregory) (Entered: 09/27/2006)                                                                                                                                                                                                 |
| 09/28/2006 | <u>103</u> | ORDER ON STIPULATION re <u>102</u> Stipulation re Deposition Schedule and Expert Report. See Stip/Order for further details.                                                                                                                                                                                                                                                                                            |



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|            |            | Signed by Judge Robert A. McQuaid Jr. on 9/27/2006. (HJ, ) (Entered: 09/28/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 10/24/2006 | <u>104</u> | MOTION for Summary Judgment <i>and motion to file brief in excess of 30 pages</i> by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. Responses due by 11/11/2006. (Attachments: # <u>1</u> Second half of the MSJ# <u>2</u> Separate Statement of Undisputed Facts (Original)# <u>3</u> Supplemental Separate Statement of Undisputed Facts# <u>4</u> Index Index of Exhibits# <u>5</u> Exhibit Exhibits 1 to 1-A# <u>6</u> Exhibit 1-B to 2-C# <u>7</u> Exhibit 2-D to 3-I# <u>8</u> Exhibit 3-J to 3-N# <u>9</u> Exhibit 3-O# <u>10</u> Exhibit 3-P to 3-BB# <u>11</u> Exhibit 3-CC to 3-II# <u>12</u> Exhibit 3-JJ to 3-NN# <u>13</u> Exhibit 3-OO to 3-QQ# <u>14</u> Exhibit 3-RR to 3-WW# <u>15</u> Exhibit 3-XX (first half)# <u>16</u> Exhibit 3-XX (second half)# <u>17</u> Exhibit 3-YY to 3-III# <u>18</u> Exhibit 3-JJJ to 3-LLL (half)# <u>19</u> Exhibit 3-LLL (2nd half) to 3-NNN# <u>20</u> Exhibit 3-OOO# <u>21</u> Exhibit 4 to 5-A (beginning)# <u>22</u> Exhibit 5-A (middle)# <u>23</u> Exhibit 5-A (end)# <u>24</u> Exhibit 6 to 7-B# <u>25</u> Exhibit 7-C# <u>26</u> Exhibit 7-D to 7-F# <u>27</u> Exhibit 7-G to 7-H# <u>28</u> Exhibit 7-I# <u>29</u> Exhibit 7-J to 7-K# <u>30</u> Exhibit 7-L to 7-M# <u>31</u> Exhibit 7-N to 7-Q# <u>32</u> Exhibit 7-R to 7-S)(Kostic, Ljubisa) (Entered: 10/24/2006) |
| 10/27/2006 | 105        | MINUTE ORDER IN CHAMBERS of the Honorable Philip M. Pro, Chief U.S. District Judge on 10/27/2006. By Deputy Clerk: Lia Griffin. IT IS ORDERED that this case is reassigned to Judge David A. Ezra for all further proceedings. Judge Howard D. McKibben no longer assigned to case. All further documents must bear the correct case number 3:04-cv-00229-DAE-RAM. <b>(no image attached)</b> (LG) (Entered: 10/27/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 11/17/2006 | <u>106</u> | RESPONSE to <u>104</u> MOTION for Summary Judgment <i>and motion to file brief in excess of 30 pages</i> ; filed by Plaintiff U.S. Equal Employment Opportunity Commission. Replies due by 12/1/2006. (Attachments: # <u>1</u> Brief)(McClinton, Gregory) (Entered: 11/17/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 11/17/2006 | <u>107</u> | DECLARATION of Gregory L. McClinton in Support of Plaintiff EEOC's Opposition to Defendant's Motion for Summary Judgment re <u>104</u> MOTION for Summary Judgment <i>and motion to file brief in excess of 30 pages</i> ; filed by Plaintiff U.S. Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Index Index of Exhibits# <u>2</u> Exhibit Exhibits 1 - 3# <u>3</u> Exhibit Exhibits 4 - 9# <u>4</u> Exhibit Exhibits 10 - 17# <u>5</u> Exhibit Exhibits 18 - 31# <u>6</u> Exhibit Exhibits 32 - 40# <u>7</u> Exhibit Exhibits 41 - 44# <u>8</u> Exhibit Exhibits 45 - 47# <u>9</u> Exhibit Exhibits 48 - 56# <u>10</u> Exhibit Exhibits 57 - 61# <u>11</u> Exhibit Exhibits 62 - 66# <u>12</u> Exhibit Exhibits 67 - 75# <u>13</u> Exhibit Exhibits 76 - 80)(McClinton, Gregory) (Entered: 11/18/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 11/18/2006 | <u>108</u> | STATEMENT of Additional Material Facts <i>in Opposition to Defendant's Motion for Summary Judgment</i> by Plaintiff U.S. Equal Employment Opportunity Commission. (McClinton, Gregory) (Entered: 11/18/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 11/18/2006 | <u>109</u> | MOTION for Leave to File <i>Excess Brief</i> by Plaintiff U.S. Equal Employment Opportunity Commission. (McClinton, Gregory) (Entered: 11/18/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 11/18/2006 | <u>110</u> | <del>OBJECTION EEOC's Objections and Request to Strike Defendant's Evidence filed by Plaintiff U.S. Equal Employment Opportunity Commission. (McClinton, Gregory)</del> Modified on 11/27/2006 please refer to redocketed docket entry <u>115</u> had to redocket in order to activate motion tracking. (BLG). (Entered: 11/18/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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| 11/18/2006 | <u>115</u> | <b>Objections MOTION to Strike Defendant's Evidence</b> filed by Plaintiff U.S. Equal Employment Opportunity Commission. (McClinton, Gregory) Responses due by 12/6/2006. <u>110</u> – Redocketed by Clerk's Office to activate Motion status. Counsel are hereby advised to file motions separately. Thank You.(BLG) (Entered: 11/27/2006)                                                                                    |
| 11/21/2006 | 111        | MINUTE ORDER IN CHAMBERS of the Honorable Robert A. McQuaid Jr., U.S. Magistrate Judge on 11/21/2006. By Deputy Clerk: GMM. RE: <u>109</u> MOTION for Leave to File <i>Excess Brief</i> Plaintiff's Motion for Leave to File Brief in Excess of Thirty Pages in Support of Its Opposition to Defendant Scolari's Motion for Summary Judgment <u>109</u> is GRANTED.(no image attached) (GMM, ) (Entered: 11/21/2006)           |
| 11/21/2006 | <u>112</u> | RESPONSE to <u>109</u> MOTION for Leave to File <i>Excess Brief</i> , <u>104</u> MOTION for Summary Judgment <i>and motion to file brief in excess of 30 pages</i> ; filed by Plaintiff U.S. Equal Employment Opportunity Commission. <i>Amended Brief</i> Replies due by 12/5/2006. (McClinton, Gregory) (Entered: 11/21/2006)                                                                                                |
| 11/21/2006 | <u>113</u> | RESPONSE to <u>104</u> MOTION for Summary Judgment <i>and motion to file brief in excess of 30 pages</i> ; filed by Plaintiff U.S. Equal Employment Opportunity Commission. <i>Amended Declaration of Gregory L. McClinton in Support of Plaintiff EEOC's Opposition to Defendant's Motion for Summary Judgment</i> Replies due by 12/5/2006. (McClinton, Gregory) (Entered: 11/21/2006)                                       |
| 11/21/2006 | <u>114</u> | ERRATA to <u>106</u> Response to Motion for Summary Judgment; <i>Notice of Errata</i> filed by Plaintiff U.S. Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Amended Exhibit 2)(McClinton, Gregory) (Entered: 11/21/2006)                                                                                                                                                                           |
| 11/30/2006 | <u>116</u> | Unopposed MOTION for Leave to File <i>Stipulation to Allow Filing of Inadvertently Omitted Document and Extend the Due Date for Reply Accordingly</i> by Plaintiff U.S. Equal Employment Opportunity Commission. (Viramontes, Victor) (Entered: 11/30/2006)                                                                                                                                                                    |
| 11/30/2006 | <u>117</u> | RESPONSE to <u>104</u> MOTION for Summary Judgment <i>and motion to file brief in excess of 30 pages</i> ; filed by Plaintiff U.S. Equal Employment Opportunity Commission. <i>EEOC's Statement of Material Facts in Opposition to Defendant's Motion for Summary Judgment</i> Replies due by 12/14/2006. (McClinton, Gregory) (Entered: 11/30/2006)                                                                           |
| 12/01/2006 | <u>118</u> | ORDER granting <u>116</u> Motion/Stipulation for Leave to File. Signed by Judge David A. Ezra on 12/1/2006. (HJ, ) Additional attachment(s) added and modified on 12/4/2006 (DRM, ) to update image and reflect judge's signature accordingly. (Entered: 12/01/2006)                                                                                                                                                           |
| 12/06/2006 | <u>119</u> | RESPONSE to <u>115</u> MOTION to Strike; filed by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. Replies due by 12/20/2006. (Attachments: # <u>1</u> Second part of Objections# <u>2</u> Third part of Opposition)(Kostic, Ljubisa) (Entered: 12/06/2006)                                                                                                                                     |
| 12/14/2006 | <u>120</u> | REPLY to Response to <u>104</u> MOTION for Summary Judgment <i>and motion to file brief in excess of 30 pages</i> ; filed by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. (Attachments: # <u>1</u> Declaration Ljubisa Kostic in support of Reply# <u>2</u> Objections and Responses to Plaintiff's Separate Statement of Additional Material Facts)(Kostic, Ljubisa) (Entered: 12/14/2006) |

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| 12/14/2006 | <u>121</u> | MOTION to Strike <u>107</u> Declaration,, <i>EEOC's Evidence in Opposition to Summary Judgment</i> by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. Responses due by 1/1/2007. (Kostic, Ljubisa) (Entered: 12/14/2006)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 12/14/2006 | <u>122</u> | REPLY to Response to <u>104</u> MOTION for Summary Judgment <i>and motion to file brief in excess of 30 pages</i> ; filed by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. <i>Scolari's Objections and Responses to EEOC's Statement of Facts in Opposition to Summary Judgment</i> (Attachments: # <u>1</u> (cont), part 2# <u>2</u> (cont), part 3# <u>3</u> (cont), part 4)(Kostic, Ljubisa) (Entered: 12/14/2006)                                                                                                                                                                                                                                                                                                                                                                      |
| 12/19/2006 | <u>123</u> | ORDER Setting Hearing on <u>121</u> MOTION to Strike <u>107</u> Declaration,, <i>EEOC's Evidence in Opposition to Summary Judgment</i> , <u>104</u> MOTION for Summary Judgment <i>and motion to file brief in excess of 30 pages</i> : Motion Hearing set for 1/5/2007 10:00 AM in Reno Courtroom 4 before David A. Ezra. Signed by Judge David A. Ezra on 12/18/06. (LG) (Entered: 12/19/2006)                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 01/03/2007 | <u>124</u> | ORDER granting <u>104</u> Motion to file brief in excess of 30 pages. Signed by Judge David A. Ezra on 1/3/07. (JW ) (Entered: 01/03/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 01/05/2007 | 125        | MINUTES OF PROCEEDINGS – Motion Hearing held on 1/5/2007 before Judge David A. Ezra. Crtrm Administrator: <i>Bette Stewart and Brenda Gorbet</i> ; Pla Counsel: <i>Gregory L. McClinton</i> ; Def Counsel: <i>Ray J. Artiano, Ljubisa Kostic and Miranda Du</i> ; Court Reporter/FTR #: <i>Kathryn French</i> ; Time of Hearing: <i>10:00 a.m. – 11:45 a.m.</i> Arguments are presented on behalf of the defendants by Ray Artiano and on behalf of the plaintiff by Gregory McClinton. Plaintiff's MOTION for Summary Judgment <u>104</u> and MOTION to Strike <u>121</u> Declaration stand submitted. In the event the motion for summary judgment should be denied, this action would be referred to the U. S. Magistrate Judge to schedule pretrial disclosures. <b>(no image attached)</b> (BS, ) (Entered: 01/05/2007) |
| 01/12/2007 | <u>126</u> | EX PARTE MOTION <i>REQUEST TO FILE SUPPLEMENT</i> by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. (Kostic, Ljubisa) (Entered: 01/12/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 01/25/2007 | <u>127</u> | MOTION to Strike <u>126</u> EX PARTE MOTION <i>REQUEST TO FILE SUPPLEMENT</i> by Plaintiff U.S. Equal Employment Opportunity Commission. Responses due by 2/12/2007. (McClinton, Gregory) (Entered: 01/25/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 01/26/2007 | <u>128</u> | RESPONSE to <u>127</u> MOTION to Strike <u>126</u> EX PARTE MOTION <i>REQUEST TO FILE SUPPLEMENT</i> ; filed by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. Replies due by 2/9/2007. (Kostic, Ljubisa) (Entered: 01/26/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 01/29/2007 | <u>129</u> | ORDER DENYING <u>126</u> Ex Parte Motion to file supplement. Signed by Judge David A. Ezra on 1/29/07. See ord for spec. (DRM, ) (Entered: 01/29/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 01/29/2007 | <u>130</u> | ORDER DENYING <u>104</u> Scolari's Motion for Summary Judgment on the pattern-or-practice claim and for all but two of the individual claimants, namely Ms. French and Ms. Renfroe; DENYING Summary Judgment on Scolari's punitive damages claim; GRANTING Summary Judgment to dismiss Ms. French and Ms. Renfroe; GRANTING the EEOC's Motion for leave to amend complaint; and DENYING <u>115</u> EEOC's Motion to Strike evidence insofar as it pertains to the evidence                                                                                                                                                                                                                                                                                                                                                   |

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|            |            | in this motion. Signed by Judge David A. Ezra on 1/29/07. (AF) (Entered: 03/14/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 03/15/2007 | 131        | MINUTE ORDER IN CHAMBERS of the Honorable Robert A. McQuaid Jr., U.S. Magistrate Judge, on 3/15/2007. By Deputy Clerk: Amber Freeman. A Telephonic Status Conference is set for <b>Thursday, 3/22/2007 at 9:00 a.m.</b> in Reno Courtroom 2 before Magistrate Judge Robert A. McQuaid Jr. Counsel shall contact Amber Freeman, at (775) 686-5768, two days in advance of the hearing to confirm the telephone number(s) where counsel may be reached for the hearing. The courtroom deputy will initiate the conference call. The parties have been telephonically notified. <b>(no image attached)</b> (AF) (Entered: 03/15/2007)                                                            |
| 03/15/2007 | 132        | MINUTE ORDER IN CHAMBERS of the Honorable Robert A. McQuaid Jr., U.S. Magistrate Judge, on 3/15/2007. By Deputy Clerk: Amber Freeman. The time for the Telephonic Status Conference set for Thursday, 3/22/2007 at 9:00 a.m. is changed to <b>9:30 a.m.</b> in Reno Courtroom 2 before Magistrate Judge Robert A. McQuaid Jr. Counsel shall contact Amber Freeman, at (775) 686-5768, two days in advance of the hearing to confirm the telephone number(s) where counsel may be reached for the hearing. The courtroom deputy will initiate the conference call. <b>(no image attached)</b> (AF) (Entered: 03/15/2007)                                                                       |
| 03/22/2007 | 133        | MINUTES OF PROCEEDINGS – Telephonic Status Conference held on 3/22/2007 before Judge Robert A. McQuaid Jr.. Crtrm Administrator: <i>Frank Justiliano</i> ; Pla Counsel: <i>Gregory McClinton appeared telephonically.</i> ; Def Counsel: <i>Ljubisa Kostic and Miranda Du appeared telephonically.</i> ; Court Reporter/FTR #: 9:32:04 – 9:35:00; Time of Hearing: 9:30 a.m.. The Court and counsel discussed the need to set pretrial dates. After a brief discussion, the parties purposed to submit a stipulated pretrial order. IT IS ORDERED that the parties are to submit a proposed stipulated pretrial order within 30 days. <b>(no image attached)</b> (FJ, ) (Entered: 03/22/2007) |
| 03/23/2007 | <u>134</u> | MOTION for District Judge to Reconsider Order re <u>130</u> Order,,, Terminate Motions,, by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. Responses due by 4/10/2007. (Kostic, Ljubisa) (Entered: 03/23/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 03/29/2007 | <u>135</u> | AMENDED COMPLAINT with Jury Demand <i>SECOND AMENDED COMPLAINT</i> against Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug, filed by U.S. Equal Employment Opportunity Commission.(Park, Anna) (Entered: 03/29/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 03/29/2007 | <u>136</u> | NOTICE by Plaintiff U.S. Equal Employment Opportunity Commission re <u>135</u> Amended Complaint. <i>NOTICE OF FILING OF SECOND AMENDED COMPLAINT BY PLAINTIFF EEOC</i> (Park, Anna) (Entered: 03/29/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 03/30/2007 | <u>137</u> | RESPONSE to <u>134</u> MOTION for District Judge to Reconsider Order re <u>130</u> Order,,, Terminate Motions,,, filed by Plaintiff U.S. Equal Employment Opportunity Commission. Replies due by 4/13/2007. (Viramontes, Victor) (Entered: 03/30/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 04/09/2007 | <u>138</u> | MOTION to Strike <u>135</u> Amended Complaint ( <i>SECOND</i> ) by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. Responses due by 4/27/2007. (Kostic, Ljubisa) (Entered: 04/09/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 04/11/2007 | <u>139</u> | REPLY to Response to <u>134</u> MOTION for District Judge to Reconsider Order re <u>130</u> Order,,, Terminate Motions,,, filed by                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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|            |            | Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. (Kostic, Ljubisa) (Entered: 04/11/2007)                                                                                                                                                                                                                                                                                                                            |
| 04/17/2007 | <u>140</u> | PROPOSED Pretrial Order by Plaintiff U.S. Equal Employment Opportunity Commission. (McClinton, Gregory) (Entered: 04/17/2007)                                                                                                                                                                                                                                                                                                                      |
| 04/17/2007 | <u>141</u> | NOTICE of Corrected Image/Document re <u>140</u> Proposed Pretrial Order by Plaintiff U.S. Equal Employment Opportunity Commission. (Service of corrected image is attached). (McClinton, Gregory) (Entered: 04/17/2007)                                                                                                                                                                                                                           |
| 05/18/2007 | <u>142</u> | MOTION for Temporary Restraining Order <i>Preventing EEOC from Making Further Extrajudicial Statements Regarding the Merits of This Case</i> by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. (Attachments: # <u>1</u> Declaration of Ljubisa Kostic in Support of Motion for Restraining Order)(Kostic, Ljubisa) (Entered: 05/18/2007)                                                                          |
| 05/22/2007 | <u>143</u> | AMENDED ORDER. Ref <u>130</u> Order denying <u>104</u> Mtn for Summary Jdgmt for Pattern-or-Practice Claim and for All But Two of Individual Claimants, denying Scolari's Mtn on the Punitive Damages Claim, granting summ jdgmt to dismiss Ms. French and Ms. Renfroe, granting EEOC's Mtn for Leave to Amend Complaint, and denying <u>115</u> P's Mtn to Strike Evidence. Signed by Judge David A. Ezra on 5/22/07. (JW ) (Entered: 05/23/2007) |
| 05/22/2007 | <u>144</u> | ORDER denying <u>134</u> Motion for District Judge to Reconsider <u>130</u> Order. Signed by Judge David A. Ezra on 5/22/07. (JW ) (Entered: 05/23/2007)                                                                                                                                                                                                                                                                                           |
| 05/25/2007 | <u>145</u> | RESPONSE to <u>142</u> MOTION for Temporary Restraining Order <i>Preventing EEOC from Making Further Extrajudicial Statements Regarding the Merits of This Case</i> ; filed by Plaintiff U.S. Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration Decl. with attached exhibits)(Viramontes, Victor) (Entered: 05/25/2007)                                                                                                |
| 05/29/2007 | <u>146</u> | EX PARTE MOTION <i>for Leave to Submit Amended Pretrial Schedule and for Discovery Conference</i> by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. (Attachments: # <u>1</u> Declaration of Ray Artiano in Support of Ex Parte Motion)(Kostic, Ljubisa) (Entered: 05/29/2007)                                                                                                                                     |
| 05/30/2007 | <u>147</u> | CERTIFICATE OF SERVICE by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug re <u>146</u> EX PARTE MOTION <i>for Leave to Submit Amended Pretrial Schedule and for Discovery Conference</i> . (Kostic, Ljubisa) (Entered: 05/30/2007)                                                                                                                                                                                 |
| 05/31/2007 | 148        | MINUTE ORDER IN CHAMBERS of the Honorable Robert A. McQuaid Jr., U.S. Magistrate Judge, on 5/31/2007. By Deputy Clerk: Frank Justiliano. RE: <u>146</u> EX PARTE MOTION <i>for Leave to Submit Amended Pretrial Schedule and for Discovery Conference</i> Motion Hearing set for 6/15/2007 09:00 AM in Reno Courtroom 2 before Magistrate Judge Robert A. McQuaid Jr.. <b>(no image attached)</b> (FJ, ) (Entered: 05/31/2007)                     |
| 06/01/2007 | <u>149</u> | REPLY to Response to <u>142</u> MOTION for Temporary Restraining Order <i>Preventing EEOC from Making Further Extrajudicial Statements Regarding the Merits of This Case</i> ; filed by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. (Kostic, Ljubisa) (Entered: 06/01/2007)                                                                                                                                    |



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| 06/06/2007 | <u>150</u> | MOTION for Certificate of Appealability <i>for Immediate Appeal Pursuant to 28 USC s 1292(b)</i> by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. (Kostic, Ljubisa) (Entered: 06/06/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 06/07/2007 | 151        | MINUTE ORDER IN CHAMBERS of the Honorable Robert A. McQuaid Jr., U.S. Magistrate Judge, on 6/7/2007. By Deputy Clerk: Frank Justiliano. RE: <u>146</u> EX PARTE MOTION <i>for Leave to Submit Amended Pretrial Schedule and for Discovery Conference</i> . The Motion Hearing originally scheduled for 6/15/2007 is hereby <b>VACATED</b> and <b>RESCHEDULED</b> to 6/14/2007 09:00 AM in Reno Courtroom 2 before Magistrate Judge Robert A. McQuaid Jr..( <b>no image attached</b> ) (FJ, ) (Entered: 06/07/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 06/08/2007 | <u>152</u> | RESPONSE to <u>146</u> EX PARTE MOTION <i>for Leave to Submit Amended Pretrial Schedule and for Discovery Conference</i> ; filed by Plaintiff U.S. Equal Employment Opportunity Commission. (Viramontes, Victor) (Entered: 06/08/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 06/11/2007 | <u>153</u> | REPLY to Response to <u>146</u> EX PARTE MOTION <i>for Leave to Submit Amended Pretrial Schedule and for Discovery Conference</i> ; filed by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. (Kostic, Ljubisa) (Entered: 06/11/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 06/14/2007 | 154        | MINUTES OF PROCEEDINGS – Motion Hearing held on 6/14/2007 before Judge Robert A. McQuaid Jr.. Crtrm Administrator: <i>Frank Justiliano</i> ; Pla Counsel: <i>Victor Viramontes appeared telephonically.</i> ; Def Counsel: <i>Ray Artiano and Miranda Du present.</i> ; Court Reporter/FTR #: 9:04:35 – 9:16:22 a.m.; Time of Hearing: 9:00 a.m.. RE: <u>146</u> EX PARTE MOTION <i>for Leave to Submit Amended Pretrial Schedule and for Discovery Conference</i> filed by Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug, IT IS ORDERED that the Motion <u>146</u> is GRANTED. The defendant will submit its supplemental witness list by the close of business of June 15, 2007. The parties are allowed to and including 9/14/07 to conduct any additional discovery. The cap of witnesses is set at 15 as represent by Mr. Artiano. Ms. Du informed the Court that the case was never assigned to an ENE. The Court indicated that at this point it is too late for an ENE; however, the Court is willing to entertain a settlement conference. The parties are directed to contact the courtroom clerk if they desire to have a settlement conference. ( <b>no image attached</b> ) (FJ, ) (Entered: 06/14/2007) |
| 06/14/2007 | <u>155</u> | MOTION to Set Aside <i>Magistrate's Discovery Rulings</i> by Plaintiff U.S. Equal Employment Opportunity Commission. Responses due by 7/2/2007. (Attachments: # <u>1</u> Declaration # <u>2</u> Exhibit Exhibits to Declaration)(Viramontes, Victor) (Entered: 06/14/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 06/22/2007 | <u>156</u> | RESPONSE to <u>150</u> MOTION for Certificate of Appealability <i>for Immediate Appeal Pursuant to 28 USC s 1292(b)</i> ; filed by Plaintiff U.S. Equal Employment Opportunity Commission. (Viramontes, Victor) (Entered: 06/22/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 06/22/2007 | <u>157</u> | ORDER granting in part and denying in part <u>142</u> Motion for TRO. Many specifics; see order for details. Signed by Judge David A. Ezra on 6/22/07. (Copies have been distributed pursuant to the NEF – JW ) (Entered: 06/25/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 06/26/2007 | <u>158</u> | MOTION to Appoint Special Master / <i>Magistrate for Trial Pursuant to 42 U.S.C. section 2000e-5(f)(5)</i> by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. Responses due by 7/14/2007. (Kostic, Ljubisa)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |



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|            |            | (Entered: 06/26/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 06/29/2007 | <u>159</u> | RESPONSE to <u>155</u> MOTION to Set Aside <i>Magistrate's Discovery Rulings</i> ; filed by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. Replies due by 7/13/2007. (Attachments: # <u>1</u> Declaration of Ljubisa Kostic in support of Opposition)(Kostic, Ljubisa) (Entered: 06/29/2007)                                                                                                                                                                         |
| 07/02/2007 | <u>160</u> | ORDER DENYING Scolari's <u>150</u> Motion for Certification for Appeal. Signed by Judge David A. Ezra on 7/2/2007. See ord for spec. (Copies have been distributed pursuant to the NEF – DRM, ) (Entered: 07/03/2007)                                                                                                                                                                                                                                                                                 |
| 07/10/2007 | <u>161</u> | REPLY to Response to <u>155</u> MOTION to Set Aside <i>Magistrate's Discovery Rulings</i> ; filed by Plaintiff U.S. Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration # <u>2</u> Exhibit to Declaration)(Viramontes, Victor) (Entered: 07/10/2007)                                                                                                                                                                                                                        |
| 07/16/2007 | <u>162</u> | RESPONSE to <u>158</u> MOTION to Appoint Special Master / <i>Magistrate for Trial Pursuant to 42 U.S.C. section 2000e-5(f)(5)</i> ; filed by Plaintiff U.S. Equal Employment Opportunity Commission. Replies due by 7/30/2007. (McClinton, Gregory) (Entered: 07/16/2007)                                                                                                                                                                                                                             |
| 07/20/2007 | <u>163</u> | STIPULATION <i>Stipulation and [Proposed] Order for Mandatory Settlement Conference</i> by Plaintiff U.S. Equal Employment Opportunity Commission. (McClinton, Gregory) (Entered: 07/20/2007)                                                                                                                                                                                                                                                                                                         |
| 07/25/2007 | <u>164</u> | ORDER ON STIPULATION re <u>163</u> : The Court hereby <b>DENIES</b> Stipulation and proposed order for mandatory settlement conference <u>163</u> . Signed by Judge David A. Ezra on 7/24/07. (Copies have been distributed pursuant to the NEF – BLG) (Entered: 07/25/2007)                                                                                                                                                                                                                          |
| 07/26/2007 | <u>165</u> | STIPULATION <i>Stipulation and [Proposed] Order for Mandatory Settlement Conference</i> by Plaintiff U.S. Equal Employment Opportunity Commission. (McClinton, Gregory) (Entered: 07/26/2007)                                                                                                                                                                                                                                                                                                         |
| 07/30/2007 | <u>166</u> | ORDER ON STIPULATION FOR MANDATORY SETTLEMENT CONFERENCE re <u>165</u> Stipulation. ( <i>Discovery cutoff 9/14/07 and Trial Proposed 1/14/08</i> ) Settlement Conference shall be held on <b>10/18/07 @ 9:00 A.M.</b> at Bruce R. Thompson United States Courthouse and Federal Building, 400 South Virginia Street, Reno, Nevada, in a courtroom to be assigned. <b>IMAGE ATTACHED</b> Signed by Judge David A. Ezra. (Copies have been distributed pursuant to the NEF – BLG) (Entered: 07/30/2007) |
| 07/30/2007 | <u>167</u> | REPLY to Response to <u>158</u> MOTION to Appoint Special Master / <i>Magistrate for Trial Pursuant to 42 U.S.C. section 2000e-5(f)(5)</i> ; filed by Defendant Scolari Warehouse Markets, Inc, a Nv Corp, dba Scolari Food and Drug. (Kostic, Ljubisa) (Entered: 07/30/2007)                                                                                                                                                                                                                         |
| 08/30/2007 | <u>168</u> | ORDER granting in part and denying in part <u>155</u> Motion to Set Aside (APPEAL). See order for spec. Signed by Judge David A. Ezra on 8/30/2007. (Copies have been distributed pursuant to the NEF – LK) (Entered: 08/30/2007)                                                                                                                                                                                                                                                                     |
| 08/30/2007 | <u>169</u> | ORDER DENYING D's <u>158</u> Motion to Assign Case to Magistrate for Trial. Signed by Judge David A. Ezra on 8/30/2007. See ord for spec. (Copies have been distributed pursuant to the NEF – DRM) (Entered: 08/31/2007)                                                                                                                                                                                                                                                                              |

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| 09/13/2007 | <u>170</u> | ORDER DENYING <u>138</u> Motion to Strike <u>135</u> Amended Complaint. Signed by Judge Robert A. McQuaid Jr. on 9/13/2007. (Copies have been distributed pursuant to the NEF – KL) (Entered: 09/14/2007)                                                                                                                                                                         |
| 09/25/2007 | <u>171</u> | MINUTE ORDER IN CHAMBERS of the Honorable David A. Ezra, U.S. District Judge, on 9/25/2007. COURT ACTION: EO: Parties to submit Confidential Settlement Conference Statements to Judge Ezra by 10/9/07. Statements limited to twenty (20) pages. <b>(Image Attached)</b> (Copies have been distributed pursuant to the NEF – BLG) (Entered: 09/26/2007)                           |
| 10/18/2007 | <u>172</u> | MINUTES OF PROCEEDINGS – Settlement Conference held on 10/18/2007 before Judge David A. Ezra. Crtrm Administrator: <i>Jessica Mickelsen</i> ; Pla Counsel: <i>Gergory L. McClinton, Anna Y. Park, Victor Viramontes</i> ; Def Counsel: <i>Ray Artiano, Miranda Du</i> ; No settlement reached. (Copies have been distributed pursuant to the NEF – JC) (Entered: 10/18/2007)      |
| 02/07/2008 | <u>173</u> | SETTLEMENT AGREEMENT <i>Notice of Settlement and Joint Stipulation to Continue Filing of Pretrial Order</i> by Plaintiff U.S. Equal Employment Opportunity Commission. (McClinton, Gregory) (Entered: 02/07/2008)                                                                                                                                                                 |
| 02/08/2008 | <u>174</u> | ORDER re <u>173</u> Settlement Agreement filed by U.S. Equal Employment Opportunity Commission. The parties have agreed to a monetary settlement and expect to file the Consent Decree the week of March 10, 2008. Signed by David A. Ezra on 2/8/2008. (Copies have been distributed pursuant to the NEF – KL) (Entered: 02/08/2008)                                             |
| 08/28/2008 | <u>175</u> | SETTLEMENT AGREEMENT <i>[Proposed] Consent Decree; Order</i> by Plaintiff U.S. Equal Employment Opportunity Commission. (Park, Anna) (Entered: 08/28/2008)                                                                                                                                                                                                                        |
| 09/05/2008 | <u>176</u> | CONSENT DECREE, ORDER re <u>175</u> Proposed Cosent Decree : The provisions of the foregoing Cosent Decree are hereby approved and compliance with all provisions thereof is HEREBY ORDERED. The Court shall retain jurisdiction as set forth in this Decree. Signed by David A. Ezra on 9/5/2008. (Copies have been distributed pursuant to the NEF – DRM) (Entered: 09/08/2008) |