

MTNDDL, TERMED, TRANSF

**U.S. District Court
District of New Mexico - Version 3.0 (Albuquerque)
CIVIL DOCKET FOR CASE #: 1:01-cv-00732-WJ-RLP**

EEOC v. Sterling Brothers
Assigned to: District Judge William P. Johnson
Referred to: Magistrate Judge Richard L. Puglisi
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 06/26/2001
Date Terminated: 01/02/2003
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **C Emanuel Smith**
EEOC
3300 N Central Ave
#690
Phoenix, AZ 85012
(602) 640-5033
Fax: 640-5009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gwendolyn Young Reams
EEOC
Legal Counsel Office
1801 L Street, NW
Washington, DC 20507
(202) 663-4669
Fax: 663-4639
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Loretta F Medina
EEOC
505 Marquette, NW
#900
Albuquerque, NM 87102
(505) 248-5230
Fax: 248-5217
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sandra Padegimas
EEOC
Phoenix District Office
3300 North Central Avenue
#690
Phoenix, AZ 85012-1848

(602) 640-5000
Fax: 640-5009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Veronica A Molina
Equal Employment Opportunity
Commission
Legal Unit
505 Marquette N.W., Suite 900
Albuquerque, NM 87102
(505) 248-5231
Fax: (505) 248-5217
Email: veronica.molina@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Sterling Brothers Construction, Inc.,

represented by **Barbara G. Stephenson**
500 Marquette NW Ste. 505
PO Drawer 25566
Albuquerque, NM 87125
505-242-4466
Fax: 505-243-3145
Email: barbara@gilkeylaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carol Dominguez Shay
500 Marquette NW Ste. 505
Albuquerque, NM 87125
505-242-4466
Fax: 505-243-3145
Email: carol@gilkeylaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Debra J. Moulton
Kennedy, Moulton & Wells PC
2201 San Pedro NE
Building 2, Suite 105
Albuquerque, NM 87110
505-884-7887
Fax: 505-884-7123
Email: dmoulton@kmwpc.com
TERMINATED: 01/30/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/26/2001	<u>1</u>	COMPLAINT-civil rights, jury demand (1 Summons(es) issued) (referred to Magistrate Judge Richard L. Puglisi) (vv) (Entered: 06/26/2001)
06/26/2001		LETTER to counsel re consent to proceed before a US Magistrate Judge (vv) (Entered: 06/26/2001)
06/28/2001	2	NOTICE by pltf of refusal to consent to proceed before a US Magistrate Judge (vv) (Entered: 06/29/2001)
06/29/2001	<u>3</u>	MINUTE ORDER: transferring case to the Santa Fe Division and reassigning case to District Judge Martha Vazquez (cc: all counsel*) (jrm) (Entered: 06/29/2001)
07/31/2001	<u>4</u>	ANSWER by defendant [1-1] (vv) (Entered: 07/31/2001)
08/13/2001	<u>5</u>	INITIAL SCHEDULING ORDER by Magistrate Judge Richard L. Puglisi Rule 16 scheduling conference set for 9/5/01 @ 10:00 am; provisional discovery plan and IPTR due 8/31/01 (cc: all counsel*) (jrm) (Entered: 08/13/2001)
08/31/2001	<u>6</u>	ATTORNEYS' PROVISIONAL DISCOVERY PLAN (jrm) (Entered: 09/04/2001)
09/05/2001	7	CLERK'S MINUTES: before Magistrate Judge Richard L. Puglisi Rule 16 scheduling conference HELD (jrm) (Entered: 09/05/2001)
09/05/2001	<u>8</u>	CERTIFICATE of service of initial disclosures by defendant to counsel on 9/4/01 (jrm) (Entered: 09/05/2001)
09/06/2001	<u>9</u>	ORDER by Magistrate Judge Richard L. Puglisi setting a settlement conference for 2/19/02 @ 9:00 am in Albuquerque (cc: all counsel*) (jrm) (Entered: 09/06/2001)
09/07/2001	10	CERTIFICATE of service of initial disclosures by plaintiff to counsel on 9/6/01 (jrm) (Entered: 09/07/2001)
11/07/2001	<u>11</u>	CERTIFICATE by plaintiff of 1st request for admissions to counsel on 11/06/01 (eg) (Entered: 11/07/2001)
11/07/2001	<u>12</u>	CERTIFICATE by plaintiff of service of 1st request for production to counsel on 11/06/01 (eg) (Entered: 11/07/2001)
11/07/2001	<u>13</u>	CERTIFICATE by plaintiff of service of 1st set of non-uniform interogs to counsel on 11/06/01 (eg) (Entered: 11/07/2001)
12/04/2001	<u>14</u>	CERTIFICATE of service of 1st set of interrog(s) and request for production by defendant to counsel on 12/4/01 (jrm) (Entered: 12/04/2001)
12/14/2001	<u>15</u>	ENTRY OF APPEARANCE for deft by Barbara G. Stephenson and Carol L Dominguez (kd) (Entered: 12/17/2001)
12/14/2001	<u>16</u>	MOTION by deft for order to initiate electronic filing (kd) (Entered: 12/17/2001)

12/18/2001	<u>17</u>	UNOPPOSED MOTION by defendant to substitute attorney Gilkey & Stephenson (sl) (Entered: 12/19/2001)
12/20/2001	<u>18</u>	ORDER by Magistrate Judge Richard L. Puglisi granting motion for order to initiate electronic filing [16-1] (cc: all counsel*) (jrm) (Entered: 12/20/2001)
12/20/2001	<u>19</u>	CERTIFICATE of service of responses to 1st requests for admissions by defendant to counsel on 12/17/01 (jrm) (Entered: 12/21/2001)
12/20/2001	<u>20</u>	CERTIFICATE of service of answers to 1st set of interrog(s) and responses to 1st request for production by defendant to counsel on 12/19/01 (jrm) (Entered: 12/21/2001)
01/02/2002	<u>21</u>	MINUTE ORDER: transferring case to the Albuquerque Division and reassigning case from District Judge Martha Vazquez to District Judge William P. Johnson (cc: all counsel*) (jrm) (Entered: 01/02/2002)
01/07/2002	<u>22</u>	UNOPPOSED MOTION by plaintiff to extend time to serve mtn to compel (no date specified) (jrm) (Entered: 01/07/2002)
01/08/2002	<u>23</u>	CERTIFICATE by plaintiff of service of first supplemental initial disclosures to counsel on 01/04/02 (mlk) (Entered: 01/08/2002)
01/09/2002	<u>24</u>	ORDER by Magistrate Judge Richard L. Puglisi granting pltf's unopposed motion to extend time until 1/14/02 to serve mtn to compel [22-1] (cc: all counsel) (jrm) (Entered: 01/09/2002)
01/11/2002	<u>28</u>	CERTIFICATE by plaintiff of service of 2nd supplemental initial disclosures to counsel on 01/10/02 (mlk) (Entered: 01/15/2002)
01/14/2002	<u>25</u>	ORDER by Magistrate Judge Richard L. Puglisi compelling production of documents and for sanctions as further described herein (cc: all counsel*) (jrm) (Entered: 01/14/2002)
01/15/2002	<u>26</u>	MOTION by plaintiff to compel responses to 1st set of non-uniform interrog(s) and 1st request for production (jrm) (Entered: 01/15/2002)
01/15/2002	<u>27</u>	MEMORANDUM by plaintiff in support of motion to compel responses to 1st set of non-uniform interrog(s) and 1st request for production [26-1] (jrm) (Entered: 01/15/2002)
01/17/2002	<u>29</u>	CERTIFICATE of service of 1st supplemental Rule 26(a)(1) initial disclosures by defendant to counsel on 1/17/02 (jrm) (Entered: 01/17/2002)
01/18/2002	<u>30</u>	CERTIFICATE of service of amended first supplemental Rule 26(a)(1) initial disclosures by defendant to counsel on 1/18/02 (jrm) (Entered: 01/22/2002)
01/24/2002	<u>31</u>	CERTIFICATE by plaintiff of service of 3rd supplemental initial disclosures to counsel on 01/18/02 (mlk) (Entered: 01/28/2002)
01/30/2002	<u>32</u>	MOTION by defendant to compel production of documents (jrm) (Entered: 01/30/2002)
01/30/2002	<u>33</u>	MEMORANDUM by defendant in support of motion to compel production of documents [32-1] (jrm) (Entered: 01/30/2002)

01/30/2002	<u>34</u>	ORDER by District Judge William P. Johnson granting unopposed mtn to withdraw and for substitution of counsel withdrawing attorney firm of Kennedy, Moulton & Wells for Sterling Brothers (cc: all counsel) (jrm) (Entered: 01/30/2002)
01/30/2002	<u>35</u>	JOINT MOTION for a limited extension of the discovery deadline until 2/15/02 (jrm) (Entered: 01/30/2002)
01/30/2002	<u>36</u>	ORDER by Magistrate Judge Richard L. Puglisi granting the joint motion for a limited extension of the discovery deadline until 2/15/02 [35-1] Discovery cutoff 2/15/02 (cc: all counsel) (jrm) (Entered: 01/30/2002)
01/31/2002	<u>37</u>	RESPONSE by defendant to motion to compel responses to 1st set of non-uniform interrog(s) and 1st request for production [26-1] (jrm) (Entered: 02/01/2002)
02/04/2002	<u>38</u>	MOTION by defendant for order to conduct a Rule 35 independent psychological examination of charging party (jrm) (Entered: 02/05/2002)
02/04/2002	<u>39</u>	MEMORANDUM by defendant in support of motion for order to conduct a Rule 35 independent psychological examination of charging party [38-1] (jrm) (Entered: 02/05/2002)
02/08/2002	<u>40</u>	CERTIFICATE of service of objections and responses to 1st set of interrog(s) and request for production by plaintiff to counsel on 2/7/02 (jrm) (Entered: 02/08/2002)
02/13/2002	<u>41</u>	RESPONSE by plaintiff to motion to compel production of documents [32-1] (jrm) (Entered: 02/13/2002)
02/14/2002	<u>42</u>	REPLY by plaintiff to response to motion to compel responses to 1st set of non-uniform interrog(s) and 1st request for production [26-1] (jrm) (Entered: 02/15/2002)
02/14/2002	<u>43</u>	NOTICE of completion by plaintiff of mtn to compel (jrm) (Entered: 02/15/2002)
02/19/2002		SETTLEMENT CONFERENCE held before Magistrate Judge Puglisi; case did not settle (pr) (Entered: 02/20/2002)
02/20/2002	<u>44</u>	RESPONSE by pltf in opposition to deft's motion for order to conduct a Rule 35 independent psychological examination of charging party [38-1] (bap) Modified on 02/28/2002 (Entered: 02/21/2002)
02/25/2002	<u>45</u>	ORDER by Magistrate Judge Richard L. Puglisi granting deft's motion to compel production of documents [32-1] (cc: all counsel*) (jrm) (Entered: 02/25/2002)
02/26/2002	<u>46</u>	ORDER by Magistrate Judge Richard L. Puglisi granting/denying in part pltf's motion to compel responses to 1st set of non-uniform interrog(s) and 1st request for production [26-1] (cc: all counsel*) (jrm) (Entered: 02/26/2002)
02/28/2002	<u>47</u>	MOTION by plaintiff to stay Magistrate's Order of 2/25/02 (jrm) (Entered: 02/28/2002)
03/01/2002	<u>48</u>	RESPONSE by defendant to motion to stay Magistrate's Order of 2/25/02 [47-1] (jrm) (Entered: 03/01/2002)

03/04/2002	<u>49</u>	ORDER by District Judge William P. Johnson denying motion to stay Magistrate's Order of 2/25/02 [47-1] by EEOC (cc: all counsel*) (jrm) (Entered: 03/04/2002)
03/05/2002	<u>51</u>	REPLY brief by defendant to response to motion for order to conduct a Rule 35 independent psychological examination of charging party [38-1] (jrm) (Entered: 03/06/2002)
03/05/2002	<u>50</u>	NOTICE by deft of mtn packet completion re to conduct Rule 35 independent psycholocial examination of charging party [38-1] (pr) (Entered: 03/06/2002)
03/06/2002	<u>52</u>	CERTIFICATE of service of 1st supplemental responses to 1st interrog(s) and 1st request for production by defendant to counsel on 3/06/02 (jrm) (Entered: 03/06/2002)
03/07/2002	<u>53</u>	MOTION by plaintiff for order re: objections to Magistrate's Order granting deft's mtn to compel (jrm) (Entered: 03/08/2002)
03/07/2002	<u>54</u>	MEMORANDUM by plaintiff in support of motion for order re: objections to Magistrate's Order granting deft's mtn to compel [53-1] (jrm) (Entered: 03/08/2002)
03/08/2002	<u>55</u>	RESPONSE by defendant to motion for order re: objections to Magistrate's Order granting deft's mtn to compel [53-1] (jrm) (Entered: 03/13/2002)
03/08/2002	<u>56</u>	MOTION by plaintiff for order re: objections to Magistrate Order granting/denying in part pltfs' mtn to compel responses to pltfs 1st set of non-uniform interrog(s) and 1st requests for production (jrm) (Entered: 03/26/2002)
03/08/2002	<u>57</u>	MEMORANDUM by plaintiff in support of motion for order re: objections to Magistrate Order granting/denying in part pltfs' mtn to compel responses to pltfs 1st set of non-uniform interrog(s) and 1st requests for production [56-1] (jrm) (Entered: 03/26/2002)
03/08/2002	<u>58</u>	RESPONSE by defendant to motion for order re: objections to Magistrate Order granting/denying in part pltfs' mtn to compel responses to pltfs 1st set of non-uniform interrog(s) and 1st requests for production [56-1] (jrm) (Entered: 03/26/2002)
03/14/2002	<u>59</u>	ORDER by Magistrate Judge Richard L. Puglisi granting defts' motion for order to conduct a Rule 35 independent psychological examination of charging party and as further described herein [38-1] (cc: all counsel*) (jrm) (Entered: 03/14/2002)
03/19/2002	<u>60</u>	MOTION by defendant for summary judgment (jrm) (Entered: 03/20/2002)
03/19/2002	<u>61</u>	MEMORANDUM of law by defendant in support of motion for summary judgment [60-1] (jrm) (Entered: 03/20/2002)
03/21/2002	<u>62</u>	REPLY by plaintiff to response to motion for order re: objections to Magistrate's Order granting deft's mtn to compel [53-1] (jrm) (Entered: 03/22/2002)
03/25/2002	<u>63</u>	NOTICE of hearing before District Judge William P Johnson Jury selection/trial set for 12/9/02 @ 9:00 am (cc: all counsel*) (jrm) (Entered: 03/26/2002)

03/25/2002	<u>64</u>	REPLY by plaintiff to response to motion for order re: objections to Magistrate Order granting/denying in part pltf's mtn to compel responses to pltf's 1st set of non-uniform interrog(s) and 1st requests for production [56-1] (jrm) (Entered: 03/26/2002)
03/26/2002	<u>65</u>	INITIAL PRE-TRIAL REPORT by District Judge William P. Johnson and Magistrate Judge Richard L. Puglisi ; Discovery set for 2/4/02 ; mtn filing ddl set for 4/22/02 ; proposed pretrial order due 5/9/02 ; pretrial conference set for 9:30 am on 10/29/92 ; jury trial set for 9:00 am on 12/9/02 ; Estimated # of Trial Days: 2-3; Chances of Settlement: UNKNOWN (cc: all counsel) (jrm) (Entered: 03/26/2002)
03/26/2002	<u>66</u>	NOTICE by plaintiff of completion of briefing on objections to Magistrate's Order granting deft's mtn to compel (jrm) (Entered: 03/26/2002)
03/27/2002	<u>67</u>	NOTICE by plaintiff of completion of briefing of objections to Magistrate's Order granting/denying in part pltf's mtn to compel (jrm) (Entered: 03/27/2002)
03/28/2002	<u>68</u>	UNOPPOSED MOTION by plaintiff to extend time until 4/5/02 in which to file response to mtn for sum/jgm (jrm) (Entered: 03/28/2002)
04/02/2002	<u>69</u>	MOTION by plaintiff to exceed page limitation for response to mtn for sum/jgm (jrm) (Entered: 04/02/2002)
04/02/2002	<u>70</u>	ORDER by Magistrate Judge Richard L. Puglisi granting pltf's unopposed motion to extend time until 4/5/02 in which to file to mtn for sum/jgm [68-1] (cc: all counsel) (jrm) (Entered: 04/02/2002)
04/04/2002	<u>71</u>	ORDER by Magistrate Judge Richard L. Puglisi granting pltf's unopposed motion to exceed page limitation for response to mtn for sum/jgm [69-1]; response to be 29 pages, not including signature pages and certificate of service (cc: all counsel) (jrm) (Entered: 04/04/2002)
04/05/2002	<u>72</u>	RESPONSE in opposition by plaintiff to motion for summary judgment [60-1] (jrm) (Entered: 04/08/2002)
04/11/2002	<u>73</u>	NOTICE OF ERRATA by plaintiff to response in opposition to mtn for sum/jgm [60-1] (jrm) (Entered: 04/11/2002)
04/15/2002	<u>74</u>	NOTICE of hearing before District Judge William P Johnson on pltf's mtns for order re: objections to Magistrate Order re: mtns to compel [56-1], [53-1] on 5/10/02 @ 8:30 am in Albuquerque (cc: all counsel*) (jrm) Modified on 04/22/2002 (Entered: 04/16/2002)
04/16/2002	<u>75</u>	UNOPPOSED MOTION by defendant to extend time until 4/22/02 in which to file its reply brief in support of mtn for sum/jgm (jrm) (Entered: 04/16/2002)
04/18/2002	<u>76</u>	ORDER by Magistrate Judge Richard L. Puglisi granting deft's unopposed motion to extend time until 4/22/02 in which to file its reply brief in support of mtn for sum/jgm [75-1] (cc: all counsel) (jrm) (Entered: 04/18/2002)
04/22/2002	<u>77</u>	REPLY brief by defendant to response to motion for summary judgment [60-1] (jrm) (Entered: 04/22/2002)
04/22/2002	<u>78</u>	NOTICE by defendant of completion regarding its mtn for sum/jgm (jrm) (Entered: 04/22/2002)

05/09/2002	<u>79</u>	NOTICE of hearing before Judge William Johnson on motions [56-1] [53-1] at 9:30 am on 5/14/02 in Albuquerque, NM (cc: all counsel*) (sl) (Entered: 05/09/2002)
05/14/2002	<u>80</u>	ORDER by District Judge William P. Johnson overruling pltf's motion for order re: objections to Magistrate's Order granting deft's mtn to compel [53-1]; the Order granting deft's mtn to compel shall remain in full force and effect and pltf shall produce those items ordered to be produced by Judge Puglisi [45-1] (cc: all counsel*) (jrm) (Entered: 05/14/2002)
05/14/2002	81	CLERK'S MINUTES: before District Judge William P. Johnson mtns hrg held [56-1]; [53-1]; C/R: T.Garrett (jrm) (Entered: 05/15/2002)
05/21/2002	<u>82</u>	ORDER by District Judge William P. Johnson granting in part and overruling in part pltf's objection to Magistrate's Order denying pltf's mtn to compel as further described herein [56-1] (cc: all counsel) (jrm) (Entered: 05/21/2002)
05/21/2002	<u>83</u>	PRE-TRIAL ORDER by District Judge William P. Johnson : (cc: all counsel) (jrm) (Entered: 05/21/2002)
07/29/2002	<u>84</u>	AMENDED RESPONSE w/corrections in the ntc of errata in opposition by plaintiff to motion for summary judgment [60-1] (jrm) (Entered: 07/30/2002)
08/05/2002	<u>85</u>	CERTIFICATE by plaintiff of service of amended response with corrections in notice of errata in opposition to motion for summary judgment to counsel on 7/29/02 (ed) (Entered: 08/06/2002)
08/12/2002	<u>86</u>	MEMORANDUM, OPINION, AND ORDER: by District Judge William P. Johnson granting/denying in part deft's motion for summary judgment as described herein [60-1] (cc: all counsel*) (jrm) (Entered: 08/12/2002)
10/25/2002	<u>87</u>	MINUTE ORDER: by direction of the Honorable William P Johnson vacating & resetting Pretrial conference Pretrial conference reset for 11/22/02 @ 9:30 am in Albuquerque (cc: all counsel*) (jrm) (Entered: 10/25/2002)
11/12/2002	<u>88</u>	NOTICE of hearing before District Judge William P Johnson Jury selection & trial set for 12/9/02 @ 9:00 am in Albuquerque (cc: all counsel*) (jrm) (Entered: 11/13/2002)
11/19/2002	<u>91</u>	PROPOSED EXHIBIT list by plaintiff (jrm) (Entered: 11/19/2002)
11/19/2002	<u>92</u>	WITNESS list submitted by plaintiff (jrm) (Entered: 11/19/2002)
11/19/2002	<u>89</u>	PROPOSED EXHIBIT list by defendant * (jrm) (Entered: 11/20/2002)
11/19/2002	<u>90</u>	WITNESS list submitted by defendant * (jrm) (Entered: 11/20/2002)
11/22/2002	<u>93</u>	ORDER by Magistrate Judge Lorenzo F. Garcia setting Rule 16 settlement conference for 11/26/02 at 10:00 am (cc: all counsel*) (vv) (Entered: 11/25/2002)
11/22/2002	<u>94</u>	CLERK'S MINUTES: before District Judge William P. Johnson Pretrial conference held C/R: T Garrett (dmw) (Entered: 11/25/2002)
11/25/2002	<u>95</u>	MOTION by pltf in limine to exclude testimony or documentary evidence re contentions that it had a sexual harassment policy & charging party never complained (dmw) (Entered: 11/26/2002)

11/25/2002	96	MEMORANDUM by pltf in support of motion in limine to exclude testimony or documentary evidence re contentions that it had a sexual harassment policy & charging party never complained [95-1] (dmw) (Entered: 11/26/2002)
01/02/2003	98	(ORDER) CONSENT DECREE by District Judge William P. Johnson as described herein dismissing case (cc: all counsel) (jrm) (Entered: 01/02/2003)

PACER Service Center**Transaction Receipt**

05/31/2007 15:45:40

PACER Login:	hs0328	Client Code:	eeoc
Description:	Docket Report	Search Criteria:	1:01-cv-00732-WJ-RLP
Billable Pages:	5	Cost:	0.40