

CLOSED, REFER

**U.S. District Court  
District of New Mexico - Version 3.0 (Santa Fe)  
CIVIL DOCKET FOR CASE #: 6:06-cv-00920-MV-WDS**

EEOC v. Cracker Barrel, et al  
Assigned to: Chief Judge Martha Vazquez  
Referred to: Magistrate Judge W. Daniel Schneider  
Demand: \$0  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/27/2006  
Date Terminated: 09/29/2007  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **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*

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

**Mary Jo O'Neill**  
EEOC  
Phoenix District Office  
3300 North Central Avenue  
#690  
Phoenix, AZ 85012-2504  
(602) 640-5000  
Fax: (602) 640-5009  
Email: [mary.oneill@eeoc.gov](mailto:mary.oneill@eeoc.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Sally C Shanley**  
EEOC  
Phoenix District Office

3300 North Central Avenue  
#690  
Phoenix, AZ 85012-1848  
602-640-5032  
Fax: 602-640-5009  
Email: sally.shanley@eeoc.gov  
*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**

**Cracker Barrel Old Country Store, Inc.**

represented by **Robert W. Horton**  
Bass Berry & Sims PLC  
315 Deaderick St  
#2700  
Nashville, TN 37238  
(615) 742-7708  
Fax: 742-2799  
Email: rhorton@bassberry.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Thomas L Stahl**  
Rodey, Dickason, Sloan, Akin & Robb,  
P.A.  
Post Office Box 1888  
Albuquerque, NM 87103  
(505) 765-5900  
Fax: (505) 768-7395  
Email: tstahl@rodey.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David E Gevertz**  
Baker Donelson Bearman Caldwell &  
Berkowitz PC (GA)

Six Concourse Parkway  
Suite 3100  
Atlanta, GA 30328  
Email: dgevertz@bakerdonelson.com  
**ATTORNEY TO BE NOTICED**

**Erica V Garey**  
Six Concourse Parkway, Suite 3100  
Atlanta, GA 30328  
678-406-8718  
Email: egarey@bakerdonelson.com  
**ATTORNEY TO BE NOTICED**

| Date Filed | #                         | Docket Text                                                                                                                                                                                                                                               |
|------------|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09/27/2006 | <a href="#"><u>1</u></a>  | COMPLAINT for Employment w/jury demand (1 Summons(es) issued) (referred to Magistrate Judge W. D. Schneider) (nc) (Entered: 09/28/2006)                                                                                                                   |
| 11/30/2006 | <a href="#"><u>2</u></a>  | ANSWER by deft [1-1]* (jm) (Entered: 12/01/2006)                                                                                                                                                                                                          |
| 12/08/2006 | <a href="#"><u>3</u></a>  | INITIAL SCHEDULING ORDER by Magistrate Judge W. D. Schneider setting Rule 16 scheduling conference on 1/30/07 @ 1:50 pm in Albuquerque, NM; IPTR and provisional discovery plan due 1/23/07 (cc: all counsel)* (jm) (Entered: 12/08/2006)                 |
| 12/21/2006 | <a href="#"><u>4</u></a>  | MOTION by pltf to strike Affirmative Defenses * (jm) (Entered: 12/22/2006)                                                                                                                                                                                |
| 01/05/2007 | <a href="#"><u>5</u></a>  | NOTICE of Appearance by Thomas L Stahl and David E Gevertz on behalf of Cracker Barrel Old Country Store, Inc. (Stahl, Thomas) Modified on 1/12/2007 to add additional attorney (pz). (Entered: 01/05/2007)                                               |
| 01/05/2007 |                           | Scheduling Conference set for 1/30/2007 01:50 PM in Albuquerque - 720 Judge W. Daniel Schneider Chambers before United State Magistrate Judge W. Daniel Schneider. THIS IS A TEXT ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED. (mm) (Entered: 01/05/2007) |
| 01/12/2007 | <a href="#"><u>6</u></a>  | RESPONSE in Opposition to <i>Plaintiff's Motion to Strike Affirmative Defenses</i> <a href="#"><u>4</u></a> filed by Cracker Barrel Old Country Store, Inc. (Stahl, Thomas) Modified on 1/15/2007 to create link (pz). (Entered: 01/12/2007)              |
| 01/23/2007 | <a href="#"><u>7</u></a>  | Joint Status Report <i>and Provisional Discovery Plan</i> by Equal Employment Opportunity Commission. (Molina, Veronica) (Entered: 01/23/2007)                                                                                                            |
| 01/26/2007 | <a href="#"><u>8</u></a>  | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. of <i>Initial Disclosures</i> (Stahl, Thomas) (Entered: 01/26/2007)                                                                                                                      |
| 01/26/2007 | <a href="#"><u>9</u></a>  | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>Initial Disclosures</i> (Molina, Veronica) (Entered: 01/26/2007)                                                                                                                  |
| 01/31/2007 | <a href="#"><u>10</u></a> | ORDER by Judge W. Daniel Schneider Settlement Conference set for 7/5/2007 09:00 AM in Albuquerque - 720 Judge W. Daniel Schneider Chambers before Magistrate Judge W. Daniel Schneider. (mm) (Entered: 01/31/2007)                                        |

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| 01/31/2007 | <a href="#"><u>11</u></a> | REPLY to Response to Motion <i>to Strike</i> filed by Equal Employment Opportunity Commission. (Molina, Veronica) (Entered: 01/31/2007)                                                                                                                                                                                                                                                                                               |
| 02/02/2007 |                           | Clerk's Minutes A R16 was held on 1/30/2007 before Judge W. Daniel Schneider :. (mm) (Entered: 02/02/2007)                                                                                                                                                                                                                                                                                                                            |
| 02/02/2007 | <a href="#"><u>12</u></a> | NOTICE of Briefing Complete by Equal Employment Opportunity Commission regarding Motion to Strike Affirmative Defenses <a href="#"><u>4</u></a> (Molina, Veronica) Modified on 2/5/2007 to reference document and include link (pz). (Entered: 02/02/2007)                                                                                                                                                                            |
| 02/20/2007 | <a href="#"><u>13</u></a> | Scheduling ORDER by Judge W. Daniel Schneider Discovery due by 6/29/2007. Motions due by 7/9/2007. Pretrial Order due by 10/22/2007. (mm) (Entered: 02/20/2007)                                                                                                                                                                                                                                                                       |
| 02/20/2007 | <a href="#"><u>14</u></a> | ORDER by Judge W. Daniel Schneider Settlement Conference reset for 7/31/2007 09:00 AM in Albuquerque - 720 Judge W. Daniel Schneider Chambers before Magistrate Judge W. Daniel Schneider. (mm) (Entered: 02/20/2007)                                                                                                                                                                                                                 |
| 02/20/2007 |                           | Set/Reset Deadlines: Motions due by 8/16/2007. Pretrial Order due by 11/1/2007. (dmw) Modified on 3/26/2007 (dmw) (Entered: 03/26/2007)                                                                                                                                                                                                                                                                                               |
| 03/01/2007 | <a href="#"><u>15</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>First Request For Production Of Documents to counsel on 2/28/07</i> (Molina, Veronica) Modified text on 3/5/2007 (pz). (Entered: 03/01/2007)                                                                                                                                                                                                                  |
| 03/01/2007 | <a href="#"><u>16</u></a> | NOTICE of Hearing: Jury Selection set for 1/28/2008 09:30 AM in Santa Fe - Judge Martha Vazquez Courtroom before Chief Judge Martha Vazquez. Jury Trial set for 1/28/2008 09:30 AM in Santa Fe - Judge Martha Vazquez Courtroom before Chief Judge Martha Vazquez. Pretrial Conference set for 1/15/2008 09:30 AM in Santa Fe - Judge Martha Vazquez Chambers 2nd floor before Chief Judge Martha Vazquez. (vf) (Entered: 03/01/2007) |
| 03/02/2007 | <a href="#"><u>17</u></a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. of <i>First Interrogatories and Requests for Production to counsel on 3/2/07</i> (Stahl, Thomas) Modified text on 3/6/2007 (pz). (Entered: 03/02/2007)                                                                                                                                                                                                               |
| 03/05/2007 | <a href="#"><u>18</u></a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. of <i>First Set of Requests for Admissions to Plaintiff and Class Members to counsel on 3/5/07</i> (Stahl, Thomas) Modified text on 3/6/2007 (pz). (Entered: 03/05/2007)                                                                                                                                                                                             |
| 03/22/2007 | <a href="#"><u>19</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>First Set of Interrogatories to Defendant on 3/19/07</i> (Molina, Veronica) Modified text on 3/27/2007 (pz). (Entered: 03/22/2007)                                                                                                                                                                                                                            |
| 03/22/2007 | <a href="#"><u>20</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>EEOC's Second Request for Production of Documents to Defendant on 3/19/07</i> (Molina, Veronica) Modified text on 3/27/2007 (pz). (Entered: 03/22/2007)                                                                                                                                                                                                       |
| 03/22/2007 | <a href="#"><u>21</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>EEOC's First Supplemental Initial Disclosures to counsel on 3/22/07</i> (Molina, Veronica) Modified text on 3/27/2007 (pz). (Entered: 03/22/2007)                                                                                                                                                                                                             |
| 03/22/2007 | <a href="#"><u>22</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>EEOC's Second Supplemental Initial Disclosures to counsel on 3/22/07</i> (Molina, Veronica) Modified text on 3/27/2007 (pz). (Entered: 03/22/2007)                                                                                                                                                                                                            |

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| 03/23/2007 | <a href="#"><u>23</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>EEOC's Third Supplemental Initial Disclosures to counsel on 3/23/07</i> (Molina, Veronica) Modified text on 3/27/2007 (pz). (Entered: 03/23/2007)                                                                      |
| 03/28/2007 | <a href="#"><u>24</u></a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. <i>Defendant's First Amended Initial Disclosures to counsel on 3/28/07</i> (Gevertz, David) Modified text on 4/4/2007 (pz). (Entered: 03/28/2007)                                                                             |
| 04/02/2007 | <a href="#"><u>25</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>Answers and Objections to Defendant's First Interrogatories to counsel on 4/2/2007</i> (Molina, Veronica) Modified text on 4/6/2007 (pz). (Entered: 04/02/2007)                                                        |
| 04/02/2007 | <a href="#"><u>26</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>Responses and Objections to Defendant's First Request for Production of Documents to counsel on 4/2/07</i> (Molina, Veronica) Modified text on 4/6/2007 (pz). (Entered: 04/02/2007)                                    |
| 04/02/2007 | <a href="#"><u>27</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>Fourth Supplemental Initial Disclosures to counsel on 4/2/2007</i> (Molina, Veronica) Modified text on 4/2/2007 (pz). (Entered: 04/02/2007)                                                                            |
| 04/03/2007 | <a href="#"><u>28</u></a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. <i>Objections and Responses to Plaintiff's First Request for Admission to counsel on 4/3/07</i> (Gevertz, David) Modified text on 4/9/2007 (pz). (Entered: 04/03/2007)                                                        |
| 04/04/2007 | <a href="#"><u>29</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission <i>Second Supplemental Answers To Defendant's First Interrogatories to counsel on 4/4/07</i> (Molina, Veronica) Modified text on 4/9/2007 (pz). (Entered: 04/04/2007)                                                        |
| 04/05/2007 | <a href="#"><u>30</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission <i>First Supplemental Answers To Defendant's First Interrogatories to counsel on 4/4/07</i> (Molina, Veronica) Modified text on 4/9/2007 (pz). (Entered: 04/05/2007)                                                         |
| 04/05/2007 | <a href="#"><u>31</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>Responses and Objections to Defendant's First Set of Uniform Requests for Admissions to Plaintiffs and Class Members to counsel on 4/4/07</i> (Molina, Veronica) Modified text on 4/9/2007 (pz). (Entered: 04/05/2007) |
| 04/05/2007 | <a href="#"><u>32</u></a> | FILED IN ERROR - NOTICE of Appearance by David E Gevertz on behalf of Cracker Barrel Old Country Store, Inc. (Gevertz, David) Modified on 4/9/2007 (pz). (Entered: 04/05/2007)                                                                                                                 |
| 04/06/2007 | <a href="#"><u>33</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>Fifth Supplemental Initial Disclosures to counsel on 4/6/07</i> (Molina, Veronica) Modified text on 4/10/2007 (pz). (Entered: 04/06/2007)                                                                              |
| 04/16/2007 | <a href="#"><u>34</u></a> | NOTICE of Appearance by Erica V Garey on behalf of Cracker Barrel Old Country Store, Inc. (Garey, Erica) (Entered: 04/16/2007)                                                                                                                                                                 |
| 04/20/2007 | <a href="#"><u>35</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission <i>Sixth Supplemental Initial Disclosures</i> (Molina, Veronica) (Entered: 04/20/2007)                                                                                                                                       |
| 04/20/2007 | <a href="#"><u>36</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>EEOC's Sixth Supplemental Initial Disclosures - Amended Certificate</i> (Molina,                                                                                                                                       |

|            |                           |                                                                                                                                                                                                                            |
|------------|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |                           | Veronica) (Entered: 04/20/2007)                                                                                                                                                                                            |
| 04/23/2007 | <a href="#"><u>37</u></a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. <i>Defendant's Objections and Responses to Plaintiff's First Interrogatories</i> (Gevertz, David) (Entered: 04/23/2007)                                   |
| 04/23/2007 | <a href="#"><u>38</u></a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. <i>Defendant's Objections and Responses to Plaintiff's Second Requests for Production of Documents</i> (Gevertz, David) (Entered: 04/23/2007)             |
| 04/25/2007 | <a href="#"><u>39</u></a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. <i>Second Amended Initial Disclosures</i> (Gevertz, David) (Entered: 04/25/2007)                                                                          |
| 04/27/2007 | <a href="#"><u>40</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission <i>Third Request For Production Of Documents</i> (Molina, Veronica) (Entered: 04/27/2007)                                                                |
| 05/02/2007 | <a href="#"><u>41</u></a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. <i>Notice of Independent Medical Examinations</i> (Gevertz, David) (Entered: 05/02/2007)                                                                  |
| 05/02/2007 | <a href="#"><u>42</u></a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. <i>Defendant's Expert Witness Disclosure</i> (Gevertz, David) (Entered: 05/02/2007)                                                                       |
| 05/04/2007 | <a href="#"><u>43</u></a> | Unopposed MOTION for Discovery <i>Unopposed Motion for Leave to Take Additional Depositions</i> by Equal Employment Opportunity Commission. (Molina, Veronica) (Entered: 05/04/2007)                                       |
| 05/10/2007 | <a href="#"><u>44</u></a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. <i>Defendant's Third Amended Initial Disclosures</i> (Gevertz, David) (Entered: 05/10/2007)                                                               |
| 05/10/2007 | <a href="#"><u>45</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>EEOC's Third Supplemental Answers and Objections to Defendant's First Interrogatories</i> (Molina, Veronica) (Entered: 05/10/2007)                 |
| 05/10/2007 | <a href="#"><u>46</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>EEOC's Seventh Supplemental Initial Disclosures</i> (Molina, Veronica) (Entered: 05/10/2007)                                                       |
| 05/10/2007 | <a href="#"><u>47</u></a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>EEOC's Supplemental Responses and Objections to Defendant's First Request for Production of Documents</i> (Molina, Veronica) (Entered: 05/10/2007) |
| 05/11/2007 | <a href="#"><u>48</u></a> | MOTION <i>To Request A Status Conference Before Magistrate Schneider</i> by Cracker Barrel Old Country Store, Inc.. (Gevertz, David) (Entered: 05/11/2007)                                                                 |
| 05/11/2007 | <a href="#"><u>49</u></a> | MOTION to Compel <i>Independent Medical Examination of Jessica Tuton and Cynthia Barela</i> by Cracker Barrel Old Country Store, Inc.. (Stahl, Thomas) (Entered: 05/11/2007)                                               |
| 05/11/2007 | <a href="#"><u>51</u></a> | RESPONSE to Motion re <a href="#"><u>48</u></a> MOTION <i>To Request A Status Conference Before Magistrate Schneider</i> filed by Equal Employment Opportunity Commission. (Molina, Veronica) (Entered: 05/11/2007)        |
| 05/14/2007 | <a href="#"><u>52</u></a> | NOTICE of Briefing Complete by Cracker Barrel Old Country Store, Inc. re <a href="#"><u>48</u></a> MOTION <i>To Request A Status Conference Before Magistrate Schneider</i> filed by                                       |

|            |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |                    | Cracker Barrel Old Country Store, Inc. (Gevertz, David) (Entered: 05/14/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 05/18/2007 | <a href="#">53</a> | Opposed MOTION to Strike <i>Defendant's Expert Witness Disclosure and Supporting Memorandum</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> # <a href="#">2</a> Exhibit)(Molina, Veronica) (Entered: 05/18/2007)                                                                                                                                                                                                                                                                       |
| 05/22/2007 | <a href="#">54</a> | ORDER by Judge W. Daniel Schneider denying <a href="#">48</a> Motion (mm) (Entered: 05/22/2007)                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 05/24/2007 | <a href="#">57</a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. <i>Notice of Independent Medical Examination for Jennifer Jackson</i> (Gevertz, David) (Entered: 05/24/2007)                                                                                                                                                                                                                                                                                                                                            |
| 05/29/2007 | <a href="#">59</a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. <i>Defendant's Objections and Responses to Plaintiff's Third Request for Production of Documents</i> (Gevertz, David) (Entered: 05/29/2007)                                                                                                                                                                                                                                                                                                             |
| 05/30/2007 | <a href="#">60</a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. <i>Second Continuing Interrogatories</i> (Gevertz, David) (Entered: 05/30/2007)                                                                                                                                                                                                                                                                                                                                                                         |
| 05/30/2007 | <a href="#">61</a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. <i>Second Continuing Requests for Production of Documents</i> (Gevertz, David) (Entered: 05/30/2007)                                                                                                                                                                                                                                                                                                                                                    |
| 05/30/2007 | <a href="#">62</a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission <i>Response To Defendant's Motion For Independent Medical Evaluation</i> (Molina, Veronica) (Entered: 05/30/2007)                                                                                                                                                                                                                                                                                                                                      |
| 05/31/2007 | <a href="#">63</a> | CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission <i>Request For Admissions</i> (Molina, Veronica) (Entered: 05/31/2007)                                                                                                                                                                                                                                                                                                                                                                                 |
| 06/01/2007 | <a href="#">64</a> | RESPONSE in Opposition re <a href="#">53</a> Opposed MOTION to Strike <i>Defendant's Expert Witness Disclosure and Supporting Memorandum</i> filed by Cracker Barrel Old Country Store, Inc.. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Exhibit C# <a href="#">4</a> Exhibit D# <a href="#">5</a> Exhibit E# <a href="#">6</a> Exhibit F# <a href="#">7</a> Exhibit G# <a href="#">8</a> Exhibit H# <a href="#">9</a> Exhibit I)(Gevertz, David) (Entered: 06/01/2007) |
| 06/07/2007 | <a href="#">65</a> | CERTIFICATE OF SERVICE by Cracker Barrel Old Country Store, Inc. <i>Fourth Amended Initial Disclosures</i> (Gevertz, David) (Entered: 06/07/2007)                                                                                                                                                                                                                                                                                                                                                                        |
| 06/27/2007 | <a href="#">67</a> | NOTICE by Equal Employment Opportunity Commission <i>Unavailability</i> (Molina, Veronica) (Entered: 06/27/2007)                                                                                                                                                                                                                                                                                                                                                                                                         |
| 07/25/2007 | <a href="#">68</a> | ORDER by Judge W. Daniel Schneider vacating the July 31, 2007 Settlement Conference (mm) (Entered: 07/25/2007)                                                                                                                                                                                                                                                                                                                                                                                                           |
| 07/26/2007 | <a href="#">69</a> | AMENDED ORDER by Judge W. Daniel Schneider (mm) (Entered: 07/26/2007)                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 08/24/2007 | <a href="#">70</a> | CONSENT DECREE Approved and Consented to by the Parties as noted therein by Judge Martha Vazquez (td) (Entered: 08/24/2007)                                                                                                                                                                                                                                                                                                                                                                                              |
| 09/29/2007 | <a href="#">71</a> | ORDER administratively closing case pursuant to <a href="#">70</a> Consent Decree by Judge Martha Vazquez. The Court will retain jurisdiction to enforce the terms of the Consent Decree (td) (Entered: 09/29/2007)                                                                                                                                                                                                                                                                                                      |

| PACER Service Center   |               |                         |                      |
|------------------------|---------------|-------------------------|----------------------|
| Transaction Receipt    |               |                         |                      |
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| <b>PACER Login:</b>    | wu0079        | <b>Client Code:</b>     | eeoc                 |
| <b>Description:</b>    | Docket Report | <b>Search Criteria:</b> | 6:06-cv-00920-MV-WDS |
| <b>Billable Pages:</b> | 5             | <b>Cost:</b>            | 0.40                 |