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**U.S. District Court  
DISTRICT OF ARIZONA (Phoenix Division)  
CIVIL DOCKET FOR CASE #: 2:99-cv-01765-JWS**

EEOC v. Autonation USA Corp  
Assigned to: Judge John W Sedwick  
Demand: \$0  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/30/1999  
Date Terminated: 07/27/2001  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Mary Joleen O'Neill**  
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V.

**Defendant**

**Autonation USA Corporation**

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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/30/1999	1	COMPLAINT FILED (MAP) (Entered: 10/04/1999)
10/15/1999	2	RETURN OF SERVICE EXECUTED personally upon dft Autonation USA Corp (summons/complaint) on 10/14/99 (former emp) (Entered: 10/18/1999)
11/02/1999	3	STIPULATION to extend time to answer complaint by dft and pla [3-1] (former emp) (Entered: 11/09/1999)
11/12/1999	4	ANSWER by dft (CMM) (Entered: 11/16/1999)
11/16/1999	5	ORDER by Judge John W. Sedwick granting stipulation to extend time to answer complaint by dft and pla [3-1] - dfts may have to 11/12/99 to answer or otherwise plead to the complaint (cc: all counsel) (CMM) (Entered: 11/16/1999)
12/01/1999	6	ORDER FROM CHAMBERS by Judge John W. Sedwick RE: procedures (cc: all counsel,jws) re: order [6-1] (CMM) (Entered: 12/01/1999)
12/03/1999	7	NOTICE of service of discovery by pla first set of non-uniform interrogatories and first request for production of documents. (CMM) (Entered: 12/07/1999)
12/07/1999	8	ATTORNEY APPEARANCE for dft Autonation USA Corp by Michelle Lynette Ray (former emp) (Entered: 12/08/1999)
12/17/1999	9	JOINT PROPOSED CASE MANAGEMENT PLAN 42c due 12/8/00

		Discovery cutoff 9/29/00 Motion filing ddl is 10/31/00 (CMM) (Entered: 12/21/1999)
12/23/1999	10	NOTICE of service of initial disclosure statement pursuant to FRCivP 26 (a) by pla (CMM) (Entered: 12/29/1999)
12/23/1999	11	NOTICE of service of initial disclosure statement pursuant to FRCivP 26 (a) by dft (CMM) (Entered: 12/29/1999)
01/03/2000	12	SCHEDULING AND PLANNING ORDER by Judge John W. Sedwick ; discovery due 10/31/00; dispositive motions due 10/31/00; 8/4/00 each party shall serve and file a revised witness list which unless otherwise specifically stated shall include expert as well as lay witnesses (cc: all counsel) (former emp) (Entered: 01/03/2000)
01/03/2000	13	MINUTE ORDER the court has issued a planning and scheduling order based on information provided by the parties at docket 8; the court found the information adequate for scheduling purposes so the request for a scheduling conference is denied [12-1] [9-1] (cc: all counsel) [13-1] (former emp) (Entered: 01/03/2000)
06/27/2000	14	NOTICE of service of initial disclosure statement pursuant to FRCivP 26 (a) by dft (CMM) (Entered: 06/29/2000)
06/27/2000	15	NOTICE by dft OF TAKING DEPO OF Nicholas Thompson on the following date(s): 8/3/00 at 9:30 am (CMM) (Entered: 06/29/2000)
07/13/2000	16	AMENDED NOTICE by dft OF TAKING DEPO OF Nicholas Thompson on the following date(s): 8/15/00 at 9:30 am (CMM) (Entered: 07/18/2000)
07/24/2000	17	STIPULATION by pla, dft to amend answer to complaint (amended answer not received in docketing) (CMM) (Entered: 07/25/2000)
07/31/2000	18	ORDER by Judge John W. Sedwick granting stipulation that dft shall file its amended answer w/in 20 days. (cc: all counsel) (former emp) (Entered: 07/31/2000)
08/01/2000	19	AMENDED ANSWER to Complaint [4-1] by dft Autonation USA Corp (CMM) (Entered: 08/08/2000)
08/16/2000	20	STIPULATION by pla, dft for entry of protective order (CMM) Modified on 09/08/2000 (Entered: 08/22/2000)
08/29/2000	21	STIPULATION by pla, dft to extend discovery deadline (60 day extension) (CMM) (Entered: 09/05/2000)
08/29/2000	22	NOTICE of service of discovery by dft. (CMM) (Entered: 09/05/2000)
08/29/2000	23	MINUTE ORDER that the stipulation (for protective order) at docket 20 is approved, and the agreements reflected therein are incorporated into this order by reference; breach of this order may result in the imposition of appropriate sanctions protective order (cc: all counsel,jws) [23-2] (CMM) (Entered: 09/08/2000)

09/08/2000	24	ORDER by Judge John W. Sedwick granting stipulation to extend deadlines 60 days ; discovery ddl reset for 11/29/00; dispositive motions now due 1/4/01; PTO ddl reset for 2/8/01 (cc: all counsel,jws) (CMM) (Entered: 09/08/2000)
09/19/2000	25	NOTICE of Service of First Supplemental Disclosure Statement by pla EEOC (MAP) (Entered: 09/21/2000)
10/11/2000	26	NOTICE of service of discovery by pla. (CMM) (Entered: 10/13/2000)
10/17/2000	27	NOTICE of service of discovery by pla EEOC (MAP) (Entered: 10/20/2000)
11/08/2000	28	NOTICE by pla OF TAKING DEPO OF James T Allen (11/20/00 at 9:00 am), Jay M Tuton (11/20/00 at 1:00 pm), Robert S Chandra (11/20/00 at 3:00 pm), Mark Reicks (11/21/00 at 9:00), Greg Manson (11/21/00 at 1:00 pm), Sandra Anthony (11/27/00 at 9:00 am), Kai H Ramadan (11/28/00 at 1:00 pm), and Bryan E Jenks (11/29/00 at 1:00 pm) (CMM) (Entered: 11/09/2000)
11/08/2000	29	NOTICE by pla OF TAKING DEPO OF dft AutoNation USA on the following date(s): 11/27/00 at 10:00 am (CMM) (Entered: 11/09/2000)
11/16/2000	30	NOTICE of service of discovery by dft. (CMM) (Entered: 11/20/2000)
11/16/2000	31	AMENDED NOTICE by pla OF TAKING DEPO OF James T Allen on 11/20/00 at 9:00 am, Jay M Tuton on 11/20/00 at 1:00 pm, Robert S Chandra on 11/21/00 at 9:00 am, Mark Reicks on 11/21/00 at 1:00 pm on the following date(s): (CMM) (Entered: 11/20/2000)
11/20/2000	32	SECOND AMENDED NOTICE by pla EEOC OF TAKING DEPO(s) OF Jay M. Tuton, Robert S. Chandra, Mark Reicks, and James T. Allen on the following (respective) date(s): 11/20,11/21,11/21,11/22 (KMG) (Entered: 11/28/2000)
11/21/2000	33	STIPULATION by pla, dft to extend discovery deadline (CMM) (Entered: 11/29/2000)
12/01/2000	34	ORDER by Judge John W. Sedwick granting stipulation to continue discovery deadline ; discovery ddl reset for 1/31/01 ; dispositive motions now due 2/26/01; PTO ddl reset for 4/2/01 (unless dispositive motions are pending) (cc: all counsel,jsw) (CMM) (Entered: 12/01/2000)
12/26/2000	35	AMENDED NOTICE by pla OF TAKING DEPO OF AutoNation USA on the following date(s): 1/10/01 at 9:00 am (CMM) (Entered: 12/27/2000)
01/09/2001	36	NOTICE by pla OF TAKING DEPO OF AutoNation USA on the following date(s): 1/16/01 at 1:30 pm (CMM) (Entered: 01/11/2001)
01/12/2001	37	AMENDED NOTICE by dft OF TAKING DEPO OF Nicholas Thompson on the following date(s): 1/29/01 (DMT) (Entered: 01/16/2001)
01/12/2001	38	THIRD AMENDED NOTICE by pla OF TAKING DEPOS OF Chris

		Chase, Kai Ramadan, Bryan Jenks on the following date(s): 1/22/01 at 9:00 am, 1/23/01 at 9:00 am and 1/26/01 at 9:00 am (CMM) (Entered: 01/17/2001)
01/16/2001	39	STIPULATION by pla, dft to extend discovery deadline (45 day extension) (CMM) (Entered: 01/17/2001)
01/26/2001	40	SECOND AMENDED NOTICE by dft OF TAKING DEPO OF Nicholas Thompson on the following date(s): 1/31/01 at 9:30 am (CMM) (Entered: 01/29/2001)
01/29/2001	41	ORDER by Judge John W. Sedwick granting stipulation to extend discovery and related deadlines; parties advised that the court will not likely look with favor on any additional request to extend time for completion of discovery (cc: all counsel,jws) (CMM) (Entered: 01/29/2001)
02/02/2001	42	ORDER by Judge John W. Sedwick re: stipulation to extend discovery deadlines [39-1] ; discovery ddl reset for 3/16/01; dispositive motions now due 4/12/01; PTO ddl reset for 5/17/01 (cc: all counsel,jws) (CMM) (Entered: 02/02/2001)
02/05/2001	43	NOTICE of service of discovery by pla. (CMM) (Entered: 02/08/2001)
02/28/2001	44	AMENDED NOTICE by pla EEOC OF TAKING DEPO OF Greg Manson on the following date(s): 3/6/01 at 10 am (LAD) (Entered: 03/01/2001)
03/05/2001	45	NOTICE of service of discovery by dft. (CMM) (Entered: 03/06/2001)
04/05/2001	46	ORDER by Judge John W. Sedwick re certification of readiness for trial (cc: all counsel) re: order [46-1] (CMM) (Entered: 04/05/2001)
04/12/2001	47	MOTION for summary judgment by dft Autonation USA Corp [47-1] (CMM) (Entered: 04/16/2001)
04/12/2001	48	STATEMENT OF FACTS by dft re motion for summary judgment by dft Autonation USA Corp [47-1] (CMM) (Entered: 04/19/2001)
04/18/2001	49	RESPONSE by dft to order re readiness for trial [46-1] (CMM) (Entered: 04/19/2001)
04/23/2001	50	REPORT by pla, dft re rediness for trial (CMM) (Entered: 04/24/2001)
04/30/2001	51	ORDER FROM CHAMBERS by Judge John W. Sedwick - parties are directed to certify readiness for trial in a report to be filed within 20 days after the court rules on the dispositive motion, such report should suggest at least two trial dates not less than 3 months following the date of the report (cc: all counsel,jws) re: order [51-1] (CMM) (Entered: 04/30/2001)
05/08/2001	52	ORDER FOR PRETRIAL PROCEEDINGS, FINAL PRETRIAL CONFERENCE, AND TRIAL by Judge John W. Sedwick ; Pretrial conference set for 10:30 11/9/01 ; jury trial set for 9:00 11/13/01 (cc: all counsel,jws) (CMM) (Entered: 05/08/2001)

05/14/2001	53	RESPONSE IN OPPOSITION by pla to motion for summary judgment by dft Autonation USA Corp [47-1] (CMM) (Entered: 05/15/2001)
05/14/2001	54	STATEMENT OF FACTS by pla in opposition to dft motion for summary judgment by dft Autonation USA Corp [47-1] (CMM) (Entered: 05/15/2001)
05/14/2001	55	MOTION to strike dft statement of facts no. 13 and evidence submitted in support thereof by pla [55-1] (CMM) (Entered: 05/16/2001)
05/29/2001	56	STIPULATION by pla, dft for extension of time to file reply briefing in support of dft motion for summary judgment (until 6/5/01) (CMM) (Entered: 06/01/2001)
06/05/2001	57	REPLY by dft Autonation USA Corp to response to motion for summary judgment by dft Autonation USA Corp [47-1] (former emp) (Entered: 06/07/2001)
06/05/2001	58	SUPPLEMENTAL Statement of Facts by dft Autonation USA Corp in support of the motion for summary judgment by dft Autonation USA Corp [47-1] (former emp) (Entered: 06/07/2001)
06/11/2001	59	ORDER by Judge John W. Sedwick granting stipulation; the deadline for dft to file its reply to pla's response to motion for summary judgment by dft Autonation USA Corp [47-1] is extended to 6/5/01 (cc: all counsel/JWS) (received 6/11/01) (LAD) (Entered: 06/11/2001)
06/19/2001	60	MOTION to strike dfts' supplemental statement of facts in support of motion for summary judgment by [58-1] pla EEOC [60-1] (former emp) (Entered: 06/20/2001)
06/19/2001	61	MOTION for summary disposition of its motion to strike dft's statement of fact No 13 and evidence submitted in support by pla EEOC [61-1] (former emp) (Entered: 06/20/2001)
06/21/2001	62	MOTION for leave to conduct additional discovery of dft's supplemental statement of fact no. 17 by pla [62-1] (CMM) (Entered: 06/27/2001)
06/27/2001	63	RESPONSE by dft to motion to strike dfts' supplemental statement of facts in support of motion for summary judgment by [58-1] pla EEOC [60-1], motion for summary judgment by dft Autonation USA Corp [47-1] (CMM) (Entered: 07/02/2001)
07/03/2001	64	RESPONSE by dft to motion for leave to conduct additional discovery of dft's supplemental statement of fact no. 17 by pla [62-1] (CMM) (Entered: 07/05/2001)
07/10/2001	65	MINUTE ORDER setting motion for summary judgment by dft Autonation USA Corp [47-1] for telephonic hearing at 9:00 7/23/01 (Alaksa Daylight time) (cc: all counsel,jws) [65-1] (CMM) (Entered: 07/10/2001)
07/10/2001	66	MINUTE ORDER ; Final Pretrial conference reset for 9:00 11/6/01 ; jury trial reset for 10:00 11/6/01 (cc: all counsel,jws) [66-2] (CMM) (Entered: 07/10/2001)

		07/10/2001)
07/10/2001	67	STIPULATION to extend time to reply re motion to strike supplemental statement of facts and motion for summary disposition by pla (until 7/17/01) (CMM) (Entered: 07/12/2001)
07/13/2001	68	REPLY by pla to response to motion to strike dfts' supplemental statement of facts in support of motion for summary judgment by [58-1] pla EEOC [60-1], motion for summary disposition of its motion to strike dft's statement of fact No 13 and evidence submitted in support by pla EEOC [61-1] (CMM) (Entered: 07/17/2001)
07/18/2001	69	ORDER by Judge John W. Sedwick granting stipulation to extend time to reply re motion to strike supplemental statement of facts and motion for summary disposition by pla until 7/17/01 (cc: all counsel) (CMM) (Entered: 07/18/2001)
07/18/2001	70	REPLY by pla EEOC to response to motion for leave to conduct additional discovery of dft's supplemental statement of fact no. 17 by pla [62-1] (former emp) (Entered: 07/19/2001)
07/23/2001	73	MINUTE ENTRY before Judge John W. Sedwick: Crt Rptr: BBoyer court convened to hear telephonic argument on motion for summary judgment by dft Autonation USA Corp [47-1] ] [73-1]; Court granted motion for summary judgment; Court to issue written decision (former emp) Modified on 08/08/2001 (Entered: 07/30/2001)
07/27/2001	71	ORDER by Judge John W. Sedwick granting motion for summary judgment by dft Autonation USA Corp [47-1], finding the motion to strike dft statement of facts no. 13 and evidence submitted in support thereof by pla [55-1] moot., denying motion to strike dfts' supplemental statement of facts in support of motion for summary judgment by [58-1] pla EEOC [60-1], finding the motion for summary disposition of its motion to strike dft's statement of fact No 13 and evidence submitted in support by pla EEOC [61-1] moot., denying motion for leave to conduct additional discovery of dft's supplemental statement of fact no. 17 by pla [62-1] terminating case (cc: all counsel,jws) (CMM) (Entered: 07/27/2001)
07/27/2001	72	JUDGMENT: re: order filed [71-2] that dft motion for summary judgment is granted, the complaint and this action are dismissed, pla shall take nothing (cc: all counsel,jws,jgmdrwr) (CMM) (Entered: 07/27/2001)
08/08/2001	74	MOTION (application) for bill of costs by dft [74-1] (DMT) (Entered: 08/13/2001)
08/08/2001	74	BILL OF COSTS submitted by dft (CMM) (Entered: 09/21/2001)
08/16/2001	75	Transcript Designation and Ordering Form by pla re telephonic hearing dated 7/23/01 re dft motion for summary judgment (CMM) (Entered: 08/20/2001)
08/27/2001	76	TRANSCRIPT of telephonic hearing by Court Reporter: Bonnie Boyer for the following date(s): 7/23/01 (CMM) (Entered: 08/30/2001)

09/19/2001	78	NOTICE OF APPEAL by pla EEOC from District Court judgment [72-1], order filed [71-2] (cc: 9CCA/All Counsel/judge) (REW) (Entered: 10/16/2001)
09/21/2001	77	MINUTE ORDER denying the motion for bill of costs by dft [74-1] - the Clerk will proceed with the Bill of Costs as prescribed in D. AZ. LR 2.19 (cc: all counsel,jws) [77-1] (CMM) (Entered: 09/21/2001)
11/02/2001		Notification by 9th Circuit of Appellate Docket Number 01-17064 re NOTICE OF APPEAL [78-1] (REW) (Entered: 11/02/2001)
11/02/2001	79	TAXATION OF COSTS for dft Autonation USA Corp in the amount of \$1,430.25 against pla EEOC (cc: all counsel/DL) (REW) (Entered: 11/02/2001)
11/02/2001	80	BILL OF COSTS submitted by dft Autonation USA Corp (REW) (Entered: 11/08/2001)
11/08/2001	81	Transcript Designation and Ordering Form by pla EEOC re NOTICE OF APPEAL [78-1]; no transcripts to be ordered (REW) (Entered: 11/19/2001)
11/08/2001		Certificate of Record Transmitted to 9th Circuit NOTICE OF APPEAL [78-1] (REW) (Entered: 11/19/2001)
12/27/2001	82	Copy of 9th Circuit Order; briefing schedule amended, re: 01-17064 NOTICE OF APPEAL [78-1] (cc: judge) (REW) (Entered: 12/27/2001)
10/11/2002		Clerk's record on appeal transmitted to 9th Circuit re NOTICE OF APPEAL [78-1] re 01-17064; 2 volumes of Clerk's record and 1 transcript (#76) in one expando (LAD) (Entered: 10/11/2002)
01/22/2003	83	CERTIFIED COPY of 9th Circuit Mandate affirming the decision of the District Court, re: 01-17064 (cc: all counsel/judge) (REW) (Entered: 01/22/2003)
01/31/2003		Original Record Returned from 9th Circuit re NOTICE OF APPEAL [78-1]; 2 volumes of clerk's record; 1 transcript (#76) in one expando (REW) (Entered: 01/31/2003)

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