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**U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CIVIL DOCKET FOR CASE #: 2:01-cv-01853-MHM**

EEOC v. Bank One Arizona NA
Assigned to: Judge Mary H Murguia
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/28/2001
Date Terminated: 05/03/2002
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**
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V.

Defendant**Bank One Arizona NA**

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Date Filed	#	Docket Text
09/28/2001	1	COMPLAINT FILED (SAT) (Entered: 10/01/2001)
10/04/2001	2	RETURN OF SERVICE EXECUTED summons/complaint upon dft Bank One Arizona NA on 10/1/01 by leaving a copy with Dean Kontul, Senior VP, Telephone Banker, authorized to accept (Phx AZ) (former emp) (Entered: 10/09/2001)
10/22/2001	3	ANSWER to complaint [1-1] by dft Bank One Arizona NA (CMM) (Entered: 10/26/2001)
11/05/2001	4	MOTION to strike dft's affirmative defense paragraph 5 (contained within dft's answer) by pla EEOC [4-1] (LAD) (Entered: 11/07/2001)
11/26/2001	5	STIPULATION to dismissal with prejudice of affirmative defense #5 contained in dft's answer by dft Bank One Arizona NA (former emp) Modified on 11/28/2001 (Entered: 11/27/2001)

11/28/2001	6	ORDER by Judge Mary H. Murguia ; prel scheduling conf set for 3:30 2/11/02 ; all parties to conduct an initial case management plan at least 14 days before the conference (cc: all counsel) (former emp) (Entered: 11/28/2001)
01/31/2002	7	MINUTE ORDER prel scheduling conf is reset IN TIME ONLY for 2:30PM, 2/11/02 (cc: all counsel) [7] (former emp) (Entered: 01/31/2002)
01/31/2002	8	JOINT PROPOSED CASE MGT PLAN/REPORT; discovery cutoff 9/27/02; dispositive motions filing ddl is 11/27/02 (LAD) (Entered: 02/05/2002)
02/08/2002	10	ATTORNEY APPEARANCE for dft Bank One Arizona NA by Lisa Marie Coulter (LAD) (Entered: 02/13/2002)
02/11/2002	9	MINUTE ENTRY before Judge Mary H. Murguia . Crt Rptr: M. SANCHEZ. Present: Michelle Marshall for pla; Heidi Richter and Lisa Coulter for dft. Prel scheduling conf held. Case mgtm plan reviewed; order to issue. IT IS ORDERED referring this matter to a Mag/Judge for the purpose of settlement conference. The Clerk by random lot draws and assigns Mag/Judge David K. Duncan; that court to set date and time. FURTHER ORDERED setting a status hearing for 3:30PM, 5/13/02. cc: all cnsl [9] (former emp) (Entered: 02/12/2002)
02/12/2002	11	NOTICE of compliance of initial disclosure statement pursuant to FRCivP 26(a) by pla EEOC (LAD) (Entered: 02/14/2002)
02/14/2002	12	SCHEDULING ORDER by Judge Mary H. Murguia ; discovery due 9/27/02; dispositive motions due 11/27/02; parties shall exchange initial disclosures no later than 2/11/02; motions pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, motions to amend the complaint and motions to join additional parties shall be filed no later than 6/28/02; pla shall disclose its expert witnesses and reports no later than 7/29/02; dft shall disclose its expert witnesses and reports no later than 7/29/02; rebuttal experts if any shall be disclosed no later than 8/28/02; the Court will set a status hearing upon resolution of all dispositive motions or the passing of the dispositive motion deadline; the parties shall keep the Court informed regarding the possibility of settlement and should settlement be reached, the parties shall immediately file a notice of settlement with the Clerk of the Court (cc: all counsel) re: order (scheduling) [12-1] (LAD) (Entered: 02/14/2002)
02/15/2002	13	ORDER by Magistrate Judge David K. Duncan ; settlement conference set for 10:00 4/2/02 , before Magistrate Judge David K. Duncan ; the parties shall exchange written correspondence regarding settlement; pla's demand shall be delivered to defense counsel, the insurers' and corporate representatives not less than 30 days before the settlement conference memoranda are due; dfts' responses to the demand shall be delivered to pla's counsel not less than 14 days before the settlement conference memoranda are due; all settlement conference memoranda are to be exchanged between counsel no later than 5 business days prior to the settlement conference; each party shall provide the Court with that party's

		settlement conference memorandum at least 5 business days before the settlement conference; the settlement conference memoranda shall NOT be filed with the Clerk; if the settlement conference is held, the Court will assume that the parties have agreed to separate meetings (caucuses) with the settlement judge; objection is filed not less than 3 business days before the settlement conference; counsel and any party, if unrepresented by counsel, shall notify the Court in writing at least 10 business days before the settlement conference if an attorney or unrepresented party believes that the settlement conference would be a futile act (cc: all counsel/MHM) (LAD) Modified on 02/15/2002 (Entered: 02/15/2002)
02/19/2002	14	NOTICE of compliance of initial disclosure statement pursuant to FRCivP 26(a) by dft Bank One Arizona NA (LAD) (Entered: 02/22/2002)
02/25/2002	15	NOTICE of service of revised initial disclosure statement pursuant to FRCivP 26(a) by dft Bank One Arizona NA (former emp) (Entered: 02/28/2002)
03/18/2002	16	STIPULATION AND MOTION (REQUEST) to extend time for pla EEOC to respond to Bank One's non-uniform interrogatories (1st set) and 1st request for production by pla EEOC, dft Bank One Arizona NA [16-1] (LAD) (Entered: 03/20/2002)
03/19/2002	17	MOTION to extend time for pla EEOC to respond to Bank One's non-uniform interrogatories (1st set) and to Bank One's 1st request for production by pla EEOC, dft Bank One Arizona NA [17-1] (LAD) (Entered: 03/20/2002)
03/25/2002	18	ORDER by Judge Mary H. Murguia granting stipulation (not received in Docketing); the deadline for pla to respond to Bank One's non-uniform interrogatories (1st set) and Bank One's 1st request for production is extended to 3/25/02 (cc: all counsel) (received 3/25/02) re: order filed [18-1] (LAD) (Entered: 03/25/2002)
03/26/2002	19	NOTICE of service of discovery by pla. (SAT) (Entered: 03/27/2002)
04/02/2002	20	MINUTE ENTRY before Magistrate Judge David K. Duncan; settlement conference held; settlement not reached; pursuant to and in agreement by both parties, further settlement conference set for 1:00 4/11/02 , before Magistrate Judge David K. Duncan] [20-3] (LAD) (Entered: 04/03/2002)
04/11/2002	21	MINUTE ENTRY before Magistrate Judge David K. Duncan . . ; settlement conference held ; case has settlement; parties to lodge a consent decree by 4/26/02; all pending deadlines will be vacated upon receipt of the consent decree [cc: all counsel/MHM] [21-2] (LAD) (Entered: 04/12/2002)
05/03/2002	22	CONSENT JUDGMENT by Judge Mary H. Murguia : to dismiss case ; ORDERED AND ADJUDGED that Bank One and its officers, employees, successors, assigns and all persons in active concert or participation with it...are permanently enjoined for the duration of this decree from engaging in any employment practice which discriminates

		<p>on the basis of age against persons 40 years of age and older or on the basis of race; Bank One and its officers, agents, employees, successors, assigns and all persons in active concert or participation with it...are permanently enjoined from retaliating against any employee because he or she: i) opposes or opposed discriminatory practices made unlawful by Title VII or the ADEA; ii) files or filed a charge of discrimination or iii) assists, assisted, participates or participated in an investigation or proceeding brought under the Federal or State laws prohibiting discrimination or retaliation; within 14 business days of the entry of this decree, Bank One shall make a payment in the amount of \$80,000.00 in compensatory damages in resolution of all claims asserted in this case; the amount...shall be paid by Bank One in the form of a check to Sunseaah R Mason; Bank One shall expunge from the personnel file of Sunseaah R Mason all references to the charge of discrimination filed against Bank One that formed the basis of this action and any derogatory document which relates to complaints or investigation of complaints of race and/or age discrimination; in response to all future employment inquiries regarding Ms Mason, Bank One will provide nothing less than a neutral reference; Bank One shall provide Sunseaah R Mason a written apology; the parties shall each bear their own costs and the Commission and Bank One shall each bear their own attorneys' fees; the duration of this decree shall be 2 years from its entry; the Court shall retain jurisdiction over this action for the duration of the Degree (cc: all counsel/jgm drawer) (LAD) (Entered: 05/03/2002)</p>
06/05/2002	23	ERRATA by dft Bank One Arizona NA to judgment (consent) [22-2] (as to exhibit B) (LAD) (Entered: 06/07/2002)

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