

TERMED

**U.S. District Court
District of Colorado (Denver)
CIVIL DOCKET FOR CASE #: 1:99-cv-01866-LTB**

EEOC v. Landrys Seafood Hse
Assigned to: Chief Judge Lewis T. Babcock
Demand: \$0
Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 09/24/1999
Date Terminated: 09/25/2000
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Jacqueline Ann Gilvard**
Equal Employment Opportunity
Commission-Colorado
303 East 17th Avenue
#510
Denver, CO 80203
303-866-1300
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**Landry's Seafood House-Colorado,
Inc.**
a Delaware Corporation
doing business as
Simms Landing

represented by **David Atchley Lamb**
Wheeler Trigg Kennedy LLP
United States District Court Box 19
1801 California Street
#3600
Denver, CO 80202
303-292-2525
Fax: 294-1879
LEAD ATTORNEY
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Edward Craig Stewart
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1801 California Street
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ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|-------------------|----------|--|
| 09/24/1999 | 1 | COMPLAINT (Summons(es) issued); jury demand (former empl) (Entered: 09/27/1999) |
| 09/30/1999 | 2 | AMENDED COMPLAINT [1-1] by plaintiff EEOC; jury demand (former empl) (Entered: 10/01/1999) |
| 10/28/1999 | 3 | Certificate of Compliance by plaintiff EEOC of service of instructions re notice of availability of Magis Judge and Order of Reference to Magis Judge on dft's counsel (former empl) (Entered: 10/28/1999) |
| 11/04/1999 | 4 | NOTICE by plaintiff EEOC of Lawsuit and Request for Waiver of Service of Summons (former empl) (Entered: 11/04/1999) |
| 11/04/1999 | 5 | WAIVER OF SERVICE of Summons and Complaint by Edward C. Stewart attorney for defendant Landrys Seafood Hse on 10/27/99 (former empl) (Entered: 11/04/1999) |
| 12/06/1999 | 6 | ANSWER by defendant Landrys Seafood Hse to complaint [1-1]; jury demand (former empl) (Entered: 12/07/1999) |
| 12/15/1999 | 7 | ORDER R16 stat stlmt pt pto Case referred to Magistrate Judge Donald E. Abram by Judge Lewis T. Babcock (cc: to counsel) (former empl) (Entered: 12/16/1999) |
| 12/17/1999 | 8 | ORDER FOR RULE 16 CONFERENCE by Magistrate Judge Donald E. Abram ; Rule 16 conference set for 1:45 1/25/00 (cc: all counsel) (former empl) (Entered: 12/20/1999) |
| 12/30/1999 | 9 | CERTIFICATE OF MAILING BY CLERK OF COURT OF order [8-1] (former empl) (Entered: 12/30/1999) |
| 01/25/2000 | 10 | COURTROOM MINUTES by Magistrate Judge Donald E. Abram ; rule 16 conf held on 1/25/00 ; 5 day jury trial set for 6/4/01 ; Trial prep conference set for 8:00 5/9/00 (sic) schedulin gorder approved ; entry date : 1/27/00 Court Reporter: DEA Tape 2000-06 (former empl) (Entered: 01/27/2000) |
| 01/25/2000 | 11 | SCHEDULING ORDER signed Magistrate Judge Donald E. Abram ; Discovery cutoff 8/4/00 ;dispositive motions due 8/18/00 ; settlement conference 1:30 5/9/00 ;pretrial conference set 9:00 10/31/00 (cc: all counsel) (former empl) (Entered: 01/27/2000) |
| 01/31/2000 | 12 | MINUTE ORDER : by Judge Lewis T. Babcock ; 5 day jury trial set for 6/4/01 ; Trial prep conference set for 8:00 5/9/01 (cc: all counsel) ; entry date : 2/1/00 (former empl) (Entered: 02/01/2000) |
| 02/09/2000 | 13 | MINUTE ORDER by Magistrate Judge Boyd N. Boland terminating case referral to Magistrate Judge Donald E. Abram upon his retirement & case referred to Magistrate Judge Boyd N. Boland (cc: all counsel) ; entry date : 2/10/00 (former empl) (Entered: 02/10/2000) |
| 02/11/2000 | 14 | Identification (STATEMENT) by plaintiff of may-call witnesses (gms) (Entered: 02/16/2000) |

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| 05/05/2000 | 15 | MOTION by plaintiff EEOC, defendant Landrys Seafood Hse to vacate and reset the 5/9/00 settlment conference to 6/16/00 (former empl) (Entered: 05/05/2000) |
| 05/05/2000 | 16 | MEMORANDUM by Judge Lewis T. Babcock referring to Magistrate Judge Boyd N. Boland the motion to vacate and reset the 5/9/00 settlment conference to 6/16/00 [15-1] (former empl) (Entered: 05/09/2000) |
| 05/08/2000 | 17 | MINUTE ORDER : by Magistrate Judge Boyd N. Boland granting motion to vacate and reset the 5/9/00 settlment conference [15-1] ; settlement conf reset for 2:30 6/23/00 (cc: all counsel) ; entry date : 5/9/00 (former empl) (Entered: 05/09/2000) |
| 06/16/2000 | 18 | Stipulated MOTION filed by defendant Landrys Seafood Hse to vacate 6/23/00 settlement conference and reset (former empl) (Entered: 06/20/2000) |
| 06/22/2000 | 19 | MINUTE ORDER : by Magistrate Judge Boyd N. Boland granting motion to vacate 6/23/00 settlement conference and reset [18-1], amending [11-1] schedule order ; settlement conf RESET TO 10:00 7/14/00 (cc: all counsel) ; entry date : 6/23/00 (former empl) (Entered: 06/23/2000) |
| 06/27/2000 | 20 | Stipulated MOTION by plaintiff EEOC, defendant Landrys Seafood Hse to amend scheduling order as follows: dispositive motions due 10/4/00; discovery deadline 9/20/00 (former empl) (Entered: 06/28/2000) |
| 06/28/2000 | 21 | MEMORANDUM by Judge Lewis T. Babcock referring to Magistrate Judge Boyd N. Boland the motion to amend scheduling order as follows: dispositive motions due 10/4/00; discovery deadline 9/20/00 [20-1] (former empl) (Entered: 06/28/2000) |
| 06/29/2000 | 22 | MINUTE ORDER : by Magistrate Judge Boyd N. Boland granting motion to amend scheduling order as follows: dispositive motions due 10/4/00; discovery deadline 9/20/00 [20-1], regarding [11-1] schedule order ; discovery ddl set 9/20/00 ; disp mtn ddl set 10/4/00 and expert discover as set forth (cc: all counsel) ; entry date : 6/30/00 (former empl) (Entered: 06/30/2000) |
| 07/14/2000 | 23 | COURTROOM MINUTES by Magistrate Judge Boyd N. Boland ; settlement conf held 7/14/00 and settlement placed of record ; dsm papers ddl set for 8/4/00 ; entry date : 7/18/00 Court Reporter: BNB Civil Tape 2000-48 (former empl) (Entered: 07/18/2000) |
| 07/14/2000 | 24 | MEMORANDUM by Magistrate Judge Boyd N. Boland ; dsm papers ddl set for 8/4/00 (former empl) (Entered: 07/18/2000) |
| 07/17/2000 | 25 | ORDER signed 7/14/00, filed 7/17/00 by Magistrate Judge Boyd N. Boland on settled case ; dsm papers ddl set for 8/4/00 (cc: all counsel) ; entry date : 7/18/00 (former empl) (Entered: 07/18/2000) |
| 08/02/2000 | 26 | Status REPORT by plaintiff EEOC..anticipate filing dismissal pleadings by 8/21/00 (former empl) (Entered: 08/03/2000) |
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| 08/10/2000 | 27 | MINUTE ORDER : by Magistrate Judge Boyd N. Boland ; dsm papers or status report ddl set for 8/21/00 (cc: all counsel) ; entry date : 8/14/00 (former empl) (Entered: 08/14/2000) |
| 08/21/2000 | 28 | Status REPORT by defendant Landrys Seafood Hse on settlemenet documents (former empl) (Entered: 08/22/2000) |
| 08/31/2000 | 29 | STATUS REPORT by plaintiff EEOC (former empl) (Entered: 09/05/2000) |
| 08/31/2000 | 30 | Third STATUS REPORT by defendant Landrys Seafood Hse (former empl) (Entered: 09/05/2000) |
| 09/14/2000 | 31 | MINUTE ORDER : by Magistrate Judge Boyd N. Boland ; dsm papers ddl set for 9/27/00 (cc: all counsel) ; entry date : 9/16/00 (former empl) (Entered: 09/16/2000) |
| 09/25/2000 | 32 | CONSENT DECREE signed 9/22/00, filed 9/25/00 by Chief Judge Lewis T. Babcock, recitals and findings that the decree is fair, reasonable and just ORDERING: dft/SIMMS agreed to tendcer checks of \$8,000 to Kathleen Cook as compensatory damages and check to Brenda Cox, \$2,500, Kathy Gilmore, \$4,500, Susan Hansen, \$2,500, Jennifer Bowman \$2,500, either directly or through the COMMISSION as appropriate or necessary; the named individuals will be individually responsible for all applicable taxes related to the monies received, acopy of the checks shall be mailed simultaneously to the COMMISSION; if any person refuses to accept a pyment under this decree or cannot be located that person's allotment shall be split evenly amongst the other named individuals; the parties agree that all payments on money made by SIMMS pursuant to this decree shall be subject to strict confidentiality agreement by those individuals receiving money as set forth in Attachment "A"; SIMMS agrees that it will comply with Title VII in all respects and will prevent acts of harrassment in violation of Title VIIi; any future claims that SIMMS has violated Title VII shall not constitute a breach of this Agreement or relieve the parties of their obligations under the consent Decree; all claims set forth in 99-B-1866 are resolved; terms and conditions of compliance required by SIMMS are fully set forth in paragraphs 11-20; each parth shall be responsible for its own costs/attorney's fee unless as otherwise Ordered; the Court retains jurisdiction for 3 years for purposes of compliance; (terminating case) (cc: all counsel) ; entry date : 9/25/00 (former empl) Modified on 09/25/2000 (Entered: 09/25/2000) |

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