

CLOSED

**United States District Court
District of Nevada (Las Vegas)
CIVIL DOCKET FOR CASE #: 2:05-cv-01125-KJD-NJK**

Equal Employment Opportunity Commission v. Prospect Airport Services, Inc.

Assigned to: Judge Kent J. Dawson

Referred to: Magistrate Judge Nancy J. Koppe

Case in other court: 9th Circuit Court of Appeals, 07-17221

Date Filed: 09/13/2005

Date Terminated: 03/20/2014

Jury Demand: Plaintiff

Nature of Suit: 442 Civil Rights: Jobs

Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by

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Date Filed	#	Docket Text
09/13/2005		SUMMONS ISSUED Obo P (Entered: 09/16/2005)
09/13/2005	<u>1</u>	COMPLAINT Obo P civil rights complaint w/ jury demand. (Entered: 09/16/2005)
10/17/2005	<u>2</u>	SUMMONS RETURNED EXECUTED Waiver of summons by D. (Entered: 10/20/2005)
11/28/2005	<u>3</u>	VERIFIED PETITION for Permission to Practice Pro Hac Vice submitted by attorney Martin K. LaPointe, by Defendant Prospect Airport Services, INC. (Fee Paid) (Attachments: # <u>1</u> Designation of Resident Counsel)(AAB) (Entered: 11/30/2005)
11/28/2005	<u>4</u>	ANSWER to [] Complaint by Defendant Prospect Airport Services, INC. Certificate of Interested Parties due by 12/8/2005. Discovery Plan due by 1/12/2006.(MAJ,) (Entered: 12/11/2005)

11/28/2005	<u>5</u>	CERTIFICATE OF SERVICE by Defendant Prospect Airport Services, INC re <u>3</u> VERIFIED PETITION for Permission to Practice Pro Hac Vice submitted by attorney Martin K. LaPointe,. (MAJ,) (Entered: 12/11/2005)
11/30/2005	<u>6</u>	CERTIFICATE of Interested Parties by Defendant Prospect Airport Services, INC. (AAB) (Entered: 12/12/2005)
12/02/2005	<u>7</u>	VERIFIED PETITION for Permission to Practice Pro Hac Vice submitted by attorney Thomas W. Murphy, by Defendant Prospect Airport Services, INC. (Fee Paid) (AAB) (Entered: 12/12/2005)
12/29/2005	<u>8</u>	ORDER granting <u>7</u> Verified Petition for Permission to Practice Pro Hac Vice for Attorney Thomas W. Murphy for Prospect Airport Services, INC. Signed by Judge Kent J. Dawson on 12/28/05. (AAB) (Entered: 12/30/2005)
12/29/2005	<u>9</u>	DESIGNATION of Local Counsel by Thomas W. Murphy on behalf of Defendant Prospect Airport Services, INC. (AAB) (Entered: 12/30/2005)
12/29/2005	<u>10</u>	ORDER granting <u>3</u> Verified Petition for Permission to Practice Pro Hac Vice for Attorney Martin K. LaPointe for Prospect Airport Services, INC. Signed by Judge Kent J. Dawson on 12/29/05. (AAB) (Entered: 12/30/2005)
12/29/2005	<u>11</u>	DESIGNATION of Local Counsel by Martin K. LaPointe on behalf of Defendant Prospect Airport Services, INC. (AAB) (Entered: 12/30/2005)
01/10/2006	<u>12</u>	PROPOSED Discovery Plan/Scheduling Order filed by Plaintiff Equal Employment Opportunity Commission. (Johnson, Dana) (Entered: 01/10/2006)
01/24/2006	<u>13</u>	ORDER Denying Stipulated Discovery Plan and Scheduling Order (#12) and entering Scheduling Order. Signed by Judge Robert J. Johnston on 01/2/2006J. (MXS,) (Entered: 01/24/2006)
01/24/2006		Set/Reset Deadlines: Discovery due by 5/30/2006. Joint Status Report due by 3/28/2006. Motions due by 6/30/2006. Proposed Joint Pretrial Order due by 7/31/2006. (MXS,) (Entered: 01/24/2006)
02/14/2006	<u>14</u>	CASE REFERRED to Early Neutral Evaluation Program. Magistrate Judge Peggy A. Leen will be the evaluating judge in this case. (MXS) (Entered: 02/14/2006)
02/15/2006	<u>15</u>	NOTICE: Pursuant to Special Order No. 102 this case has been assigned to the Early Neutral Evaluation Program. Magistrate Judge Peggy A. Leen will be the evaluating judge in this case. Early Neutral Evaluation set for 4/11/2006 01:30 PM in Magistrate Judge Leen's Chambers, Room 3071, Lloyd D. George Courthouse, before Magistrate Judge Peggy A. Leen. (MMM,) (Entered: 02/27/2006)
03/22/2006	<u>16</u>	NOTICE of Appearance by attorney wilfredo tungol on behalf of Plaintiff Equal Employment Opportunity Commission. (tungol, wilfredo) (Entered: 03/22/2006)
03/29/2006	<u>17</u>	MINUTE ORDER IN CHAMBERS of the Honorable Robert J. Johnston, U.S. Magistrate Judge on 3/29/2006. By Judicial Secretary: MXS. IT IS HEREBY ORDERED that the oral request for an extension of time to file the Interim Status Report is GRANTED. IT IS FURTHER ORDERED that counsel shall have to and including April 12, 2006, to file the Interim Status Report in this case. (no image attached) (MXS) (Entered: 03/29/2006)
04/11/2006	<u>18</u>	MINUTES OF PROCEEDINGS – Early Neutral Evaluation Conference held on 4/11/2006 before Judge Peggy A. Leen. Case to return to normal litigation track. Status Conference set for 4/24/2006 01:30 PM before Magistrate Judge Peggy A. Leen. (AXM,) (Entered: 04/19/2006)
04/25/2006	<u>19</u>	STATUS REPORT by Plaintiff Equal Employment Opportunity Commission. (tungol, wilfredo) (Entered: 04/25/2006)
04/26/2006	<u>20</u>	MINUTES OF PROCEEDINGS – Early Neutral Evaluation Conference held on 4/26/2006 before Judge Peggy A. Leen. Case to return to normal litigation track. (AXM,) (Entered: 04/26/2006)
05/09/2006	<u>21</u>	STIPULATION <i>FOR EXTENSION OF DISCOVERY AND OTHER DEADLINES</i> by Plaintiff Equal Employment Opportunity Commission. (McClinton, Gregory) (Entered: 05/09/2006)

06/02/2006	<u>22</u>	ORDER OF RECUSAL. This action is referred to Chief Judge Philip M. Pro for reassignment. Signed by Judge Robert J. Johnston on 6/2/2006. (MXS) (Entered: 06/02/2006)
06/16/2006	<u>23</u>	AFFIDAVIT of Service (Subpoena for Deposition – Angela Tullos) by Defendant Prospect Airport Services, INC. (Zakalik, Judah) (Entered: 06/16/2006)
07/13/2006	<u>24</u>	NOTICE of Change of Address by Judah Zakalik. (<i>zip code only</i>) (Zakalik, Judah) (Entered: 07/13/2006)
07/17/2006	25	MINUTE ORDER IN CHAMBERS of the Honorable Philip M. Pro, U.S. District Judge on 7/17/2006. By Deputy Clerk: Michael Zadina. IT IS ORDERED that this case is reassigned to Judge George W Foley, Jr for all further proceedings. Judge Robert J. Johnston no longer assigned to case. All further documents must bear the correct case number 2:05–cv–01125–KJD–GWF. (no image attached) (MJZ) (Entered: 07/17/2006)
07/18/2006	<u>26</u>	STIPULATION to <i>Extend Discovery Deadline</i> by Plaintiff Equal Employment Opportunity Commission. (tungol, wilfredo) (Entered: 07/18/2006)
07/21/2006	<u>27</u>	ORDER ON STIPULATION re <u>26</u> Stipulation., SCHEDULING ORDER. Discovery due by 9/30/2006. Motions due by 10/30/2006. Proposed Joint Pretrial Order due by 11/30/2006. Signed by Judge George W Foley Jr. on 7/20/06. (AXM) (Entered: 07/21/2006)
10/23/2006	<u>28</u>	STIPULATION for <i>Extension of Dispositive Motion and Pretrial Order Submission Deadlines (Third Request)</i> by Defendant Prospect Airport Services, INC. (Zakalik, Judah) (Entered: 10/23/2006)
10/25/2006	<u>30</u>	ORDER ON STIPULATION re <u>28</u> Stipulation for extension of dispositive motion and pretrial order submission deadlines. Motions due by 12/15/2006. Responses to dispositive motion due by 1/15/2007. Proposed Joint Pretrial Order due by 2/15/2007. Signed by Judge George W Foley Jr. on 10/25/06. (MAJ) (Entered: 10/30/2006)
10/26/2006	<u>29</u>	ORDER ON STIPULATION re <u>28</u> Stipulation for Extension of Dispositive Motion and Pretrial Order Submission Deadlines. Signed by Judge Kent J. Dawson on 10/24/06. (AXM) (Entered: 10/26/2006)
12/15/2006	<u>31</u>	MOTION for Summary Judgment by Defendant Prospect Airport Services, INC. Responses due by 1/2/2007. (Attachments: # <u>1</u> Exhibit Exhibit A – Part 1# <u>2</u> Exhibit Exhibit A – Part 2# <u>3</u> Exhibit Exhibit B – Part 1# <u>4</u> Exhibit Exhibit B – Part 2# <u>5</u> Exhibit Exhibit C# <u>6</u> Exhibit Exhibit D# <u>7</u> Exhibit Exhibit E# <u>8</u> Exhibit Exhibit F)(Zakalik, Judah) (Entered: 12/15/2006)
01/16/2007	<u>32</u>	RESPONSE to <u>31</u> MOTION for Summary Judgment; filed by Plaintiff Equal Employment Opportunity Commission. Replies due by 1/30/2007. (Attachments: # <u>1</u> Appendix Statement of Material Facts)(Tungol, Wilfredo) (Entered: 01/16/2007)
01/16/2007	<u>33</u>	ERROR: Wrong event selected. (MJZ) (Entered: 01/16/2007)
01/17/2007	<u>34</u>	ERROR: Wrong event selected. (MJZ) (Entered: 01/17/2007)
01/19/2007		NOTICE of Docket Correction to <u>33</u> Response to Motion for Summary Judgment: ERROR: Wrong event selected; CORRECTION: Attorney Wilfredo Tungol advised to re–file PDFs using "Declaration" event under the "Other Documents" category and link to <u>32</u> Response to Motion for Summary Judgment. (no image attached) (MJZ) (Entered: 01/19/2007)
01/19/2007		NOTICE of Docket Correction to <u>34</u> Response to Motion for Summary Judgment: ERROR: Wrong event selected; CORRECTION: Attorney Wilfredo Tungol advised to re–file PDF using "Certificate of Service" event under the "Service of Process" category. (no image attached) (MJZ) (Entered: 01/19/2007)
01/19/2007	<u>35</u>	DECLARATION of Wilfredo Tungol re <u>32</u> Response to Motion for Summary Judgment; <i>Declaration of Wilfredo Tungol in Support of EEOC's Opposition to Defendant's Motion for Summary Judgment</i> by Plaintiff Equal Employment Opportunity Commission. (Tungol, Wilfredo) (Entered: 01/19/2007)

01/19/2007	<u>36</u>	CERTIFICATE OF SERVICE by Plaintiff Equal Employment Opportunity Commission. <i>Proof Of Service Via Electronic Mail</i> (Tungol, Wilfredo) (Entered: 01/19/2007)
01/29/2007	<u>37</u>	REPLY to Response to <u>31</u> MOTION for Summary Judgment; filed by Defendant Prospect Airport Services, INC. (Geswein, Timothy) (Entered: 01/29/2007)
02/05/2007	<u>38</u>	STIPULATION <i>To Continue Pretrial Order Submission Date</i> by Plaintiff Equal Employment Opportunity Commission. (McClinton, Gregory) (Entered: 02/05/2007)
02/14/2007	<u>39</u>	ORDER ON STIPULATION GRANTING <u>38</u> Stipulation for time to file Pretrial Order. Proposed Joint Pretrial Order due by 3/9/2007. Signed by Judge Kent J. Dawson on 2/7/07. (AXM) (Entered: 02/14/2007)
03/09/2007	<u>40</u>	STIPULATION <i>to Continue Pretrial Order Submission Date</i> by Plaintiff Equal Employment Opportunity Commission. (Tungol, Wilfredo) (Entered: 03/09/2007)
03/14/2007	<u>41</u>	ORDER ON STIPULATION GRANTING <u>40</u> Stipulation to extend deadline for 30 days after the ruling of the Motion for Summary Judgment. Signed by Judge Kent J. Dawson on 3/12/07. (AXM) (Entered: 03/14/2007)
04/05/2007	<u>42</u>	NOTICE of Change of Address by Timothy J Geswein. <i>Notice of Change of Address and Firm Name and Counsel</i> (Geswein, Timothy) (Entered: 04/05/2007)
04/06/2007		NOTE: Attorney Thomas Murphy advised to register with CM/ECF, for the District of Nevada, and update his/her account information re <u>42</u> Notice of Change of Address and Firm Name. (MJZ) (Entered: 04/06/2007)
05/21/2007	<u>43</u>	VERIFIED PETITION for Permission to Practice Pro Hac Vice and DESIGNATION of Local Counsel (<i>James D. Hibbard</i>) submitted by attorney Lauren Blair, (Filing fee \$ 175 receipt number 569953) by Defendant Prospect Airport Services, INC. (Geswein, Timothy) (Entered: 05/21/2007)
05/23/2007	<u>44</u>	ORDER Granting <u>43</u> Verified Petition for Permission to Practice Pro Hac Vice for Attorney Lauren Blair for Equal Employment Opportunity Commission and approving Designation of Local Counsel. Signed by Judge Kent J. Dawson on 5/23/07. (AXM) (Entered: 05/23/2007)
09/27/2007	<u>45</u>	ORDER Granting <u>31</u> Motion for Summary Judgment. Signed by Judge Kent J. Dawson on 9/27/07. (Copies have been distributed pursuant to the NEF – AXM) (Entered: 09/27/2007)
09/27/2007	<u>46</u>	JUDGMENT in favor of Prospect Airport Services, INC against Equal Employment Opportunity Commission. Signed by Lance S. Wilson on 9/27/07. (Copies have been distributed pursuant to the NEF – AXM) (Entered: 09/27/2007)
11/20/2007	<u>47</u>	NOTICE OF APPEAL by Plaintiff Equal Employment Opportunity Commission. (Park, Anna) (Entered: 11/20/2007)
11/28/2007	<u>48</u>	TRANSMITTAL of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>47</u> Notice of Appeal. (JAG) (Entered: 11/28/2007)
11/28/2007	<u>49</u>	CERTIFICATE OF RECORD on Appeal Transmitted to USCA re <u>47</u> Notice of Appeal. (JAG) (Entered: 11/28/2007)
12/05/2007	<u>50</u>	EXHIBIT(s) <i>Exhibits 1 through 15</i> to <u>35</u> Declaration, ; filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Exhibit 1A# <u>2</u> Exhibit Exhibits 2 & 3# <u>3</u> Exhibit Exhibits 4 through 6# <u>4</u> Exhibit Exhibits 7 through 15)(McClinton, Gregory) (Entered: 12/05/2007)
12/12/2007	<u>51</u>	TRANSMITTAL RETURN of Notice of Appeal from USCA re <u>47</u> Notice of Appeal. USCA Case Number 07-17221 . (JAG) (Entered: 12/13/2007)
12/12/2007	<u>52</u>	TRANSMITTAL RETURN re <u>49</u> Certificate of Record to C/A. (AXM) (Entered: 12/14/2007)
09/03/2010	<u>53</u>	MEMORANDUM/OPINION of USCA, Ninth Circuit, as to <u>47</u> Notice of Appeal filed by Equal Employment Opportunity Commission. REVERSED. (JAG) (Entered: 09/03/2010)

11/12/2010	<u>54</u>	ORDER of USCA, Ninth Circuit, stating that the motion to stay the mandate pending filing of a petition for writ of certiorari is granted as to <u>47</u> Notice of Appeal filed by Equal Employment Opportunity Commission. The mandate shall be satyed for 90 days and if a petition for writ of certiorari is filed within that period, the mandate shall be stayed for such further time until the Supreme Court adts on the petition. If the petition is denied, the mandate shall be issued forthwith. (JAG) (Entered: 11/12/2010)
02/09/2011	<u>55</u>	MANDATE of USCA, Ninth Circuit, as to <u>47</u> Notice of Appeal filed by Equal Employment Opportunity Commission. REVERSED. (JAG) (Entered: 02/09/2011)
02/10/2011	<u>57</u>	ORDER on Mandate as to <u>55</u> USCA Mandate REVERSING the judgment of the US District Court re <u>47</u> Notice of Appeal filed by Equal Employment Opportunity Commission. IT IS FURTHER ORDERED that the Joint Pretrial Order is due on or before 3/11/2011. Signed by Judge Kent J. Dawson on 2/10/11. (EDS) (Entered: 02/10/2011)
02/24/2011	<u>58</u>	NOTICE of Appearance by attorney Elizabeth A Naccarato on behalf of Plaintiff Equal Employment Opportunity Commission. <i>ALSO APPEARING, ATTORNEYS AMRITA MALLIK AND MICHAEL J. FARRELL</i> (Attachments: # <u>1</u> Certificate of Service Re: Notice of Appearance)(Naccarato, Elizabeth) (Entered: 02/24/2011)
03/02/2011	<u>59</u>	NOTICE of Appearance by attorney Lorena Garcia on behalf of Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Garcia, Lorena) (Entered: 03/02/2011)
03/09/2011	<u>60</u>	NOTICE of Appearance by attorney Joseph P Garin on behalf of Defendant Prospect Airport Services, INC. (Garin, Joseph) (Entered: 03/09/2011)
03/09/2011	<u>61</u>	Fifth MOTION to Extend Time regarding discovery/nondispositive matter / <i>deadline to file Joint Pretrial Order</i> by Defendant Prospect Airport Services, INC. Motion ripe 3/9/2011. (Garin, Joseph) (Entered: 03/09/2011)
03/09/2011	<u>62</u>	NON-OPPOSITION to <u>61</u> Fifth MOTION to Extend Time regarding discovery/nondispositive matter / <i>deadline to file Joint Pretrial Order</i> ; filed by Plaintiff Equal Employment Opportunity Commission. <i>Plaintiff EEOC's Statement of Non-Opposition to Defendant's Motion to Extend the Deadline to File The Joint Pretrial Order [Doc #61]</i> (Naccarato, Elizabeth) (Entered: 03/09/2011)
03/10/2011	<u>63</u>	ORDER Granting <u>61</u> Motion to Extend Time to File Joint Pretrial Order. Proposed Joint Pretrial Order due by 4/25/2011. Signed by Judge Kent J. Dawson on 3/10/11. (Copies have been distributed pursuant to the NEF – EDS) (Entered: 03/10/2011)
04/21/2011	<u>64</u>	MOTION to Extend Time regarding discovery/nondispositive matter (Sixth Request) <i>Motion to Extend the Deadline to File the Joint Pretrial Order</i> by Defendant Prospect Airport Services, INC. Motion ripe 4/21/2011. (Garin, Joseph) (Entered: 04/21/2011)
04/22/2011	65	MINUTE ORDER IN CHAMBERS of the Honorable Judge Kent J. Dawson, on 4/22/2011. By Deputy Clerk: Peggie Vannozzi. RE: <u>64</u> <i>Motion to Extend the Deadline to File the Joint Pretrial Order</i> . Responses due by 4/29/2011.(no image attached) (Copies have been distributed pursuant to the NEF – PAV) (Entered: 04/22/2011)
04/22/2011	66	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge George Foley, Jr, on 4/22/2011. Plaintiff shall have until Wednesday, April 27, 2011 to file a response, if any, to <u>64</u> Defendant's <i>Motion to Extend the Deadline to File the Joint Pretrial Order</i> . (Copies have been distributed pursuant to the NEF – REO). (Entered: 04/22/2011)
04/25/2011	67	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge George Foley, Jr, on 4/25/2011. Judge Foley's April 22, 2011 Order 66 regarding the Motion to Extend Time <u>64</u> is vacated . The parties should adhere to Judge Dawson's April 22, 2011 Order 65 on the matter. (Copies have been distributed pursuant to the NEF – REO) (Entered: 04/25/2011)
04/26/2011	<u>68</u>	NON-OPPOSITION to <u>64</u> MOTION to Extend Time regarding discovery/nondispositive matter (First Request) <i>Motion to Extend the Deadline to File the Joint Pretrial Order</i> ; filed by Plaintiff Equal Employment Opportunity Commission. (Naccarato, Elizabeth) . (Entered: 04/26/2011)

05/04/2011	<u>69</u>	ORDER Granting <u>64</u> Motion to Extend Time to File Joint Pretrial Order. Proposed Joint Pretrial Order due by 5/23/2011. Signed by Magistrate Judge George Foley, Jr on 5/4/11. (Copies have been distributed pursuant to the NEF – EDS) (Entered: 05/04/2011)
05/23/2011	<u>70</u>	PROPOSED Pretrial Order by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Appendix to Joint [Proposed] Pre-trial Order)(Mallik, Amrita) (Entered: 05/23/2011)
05/24/2011	<u>71</u>	PRETRIAL ORDER: Jury Trial set for 12/5/2011 09:00 AM in LV Courtroom 6D before Judge Kent J. Dawson. Calendar Call set for 11/29/2011 09:00 AM in LV Courtroom 6D before Judge Kent J. Dawson. Exhibit List due by 11/30/2011. Trial Briefs due by 11/30/2011. Proposed Jury Instructions due by 11/30/2011. Proposed Voir Dire due by 11/30/2011. Signed by Judge Kent J. Dawson on 5/23/2011. (Copies have been distributed pursuant to the NEF – PAV) (Entered: 05/24/2011)
05/24/2011	<u>72</u>	ORDER REFERRING CASE to Magistrate Judge George W. Foley, Jr. to set a settlement conference. (Matter is stacked on the 12/5/2011 trial calendar.) Signed by Judge Kent J. Dawson on 5/24/2011. (Copies have been distributed pursuant to the NEF – PAV) (Entered: 05/24/2011)
05/25/2011	<u>73</u>	ORDER Scheduling Settlement Conference: Settlement Conference set for 10/12/2011 09:00 AM in Chambers before Magistrate Judge George Foley Jr. Signed by Magistrate Judge George Foley, Jr on 5/25/11. (Copies have been distributed pursuant to the NEF – EDS) (Entered: 05/25/2011)
06/03/2011	<u>74</u>	STIPULATION FOR EXTENSION OF TIME (First Request) re <u>73</u> Order Scheduling Settlement Conference, ; by Plaintiff Equal Employment Opportunity Commission. (Mallik, Amrita) (Entered: 06/03/2011)
06/07/2011	<u>75</u>	ORDER ON STIPULATION Granting <u>74</u> Stipulation for Extension of the Settlement Conference Date. Settlement Conference reset for 10/24/2011 09:00 AM in Chambers before Magistrate Judge George Foley Jr. Signed by Magistrate Judge George Foley, Jr on 6/7/11. (Copies have been distributed pursuant to the NEF – EDS) (Entered: 06/07/2011)
08/15/2011	<u>76</u>	MINUTE ORDER IN CHAMBERS of the Honorable Chief Judge Robert C. Jones, on 8/15/2011. By Deputy Clerk: Aaron Blazeovich. IT IS ORDERED that this case is reassigned to Magistrate Judge Carl W. Hoffman for all further proceedings. Magistrate Judge George Foley, Jr no longer assigned to case. All further documents must bear the correct case number 2:05–cv–01125–KJD–CWH. (no image attached) (Copies have been distributed pursuant to the NEF – ASB) (Entered: 08/15/2011)
10/04/2011	<u>77</u>	NOTICE by Defendant Prospect Airport Services, INC <i>Request for an Order Allowing for the Carrier to Appear Telephonically for the Settlement Conference</i> (Garin, Joseph) (Entered: 10/04/2011)
10/05/2011	<u>78</u>	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge Carl W. Hoffman on 10/5/2011 by Deputy Clerk: Donna Smith. Pursuant to the reassignment of this case to Magistrate Judge Carl W. Hoffman, the Settlement Conference set October 24, 2011, before Magistrate Judge George W. Foley is vacated . The Settlement Conference is rescheduled to Friday, November 4, 2011, at 9:00 AM in Chambers, Room 3014, before Magistrate Judge Carl W. Hoffman. Settlement Briefs remain due on October 17, 2011. <u>The parties shall deliver the Briefs to Chambers, Room 3014, no later than October 17, 2011.</u> All other conditions and directions set forth in the Order Scheduling a Settlement Conference <u>73</u> remain in full effect. (no image attached) (Copies have been distributed pursuant to the NEF – DES) (Entered: 10/05/2011)
10/05/2011	<u>79</u>	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge Carl W. Hoffman, on 10/5/2011. RE: <u>77</u> Notice (Other) Defendant's request for an order allowing its carrier to appear telephonically at the settlement conference scheduled in this matter is denied. (no image attached) (Copies have been distributed pursuant to the NEF – MW) (Entered: 10/05/2011)

10/07/2011	<u>80</u>	STIPULATION FOR EXTENSION OF TIME (Second Request) <i>JOINT STIPULATION REQUESTING EXTENSION OF THE SETTLEMENT CONFERENCE DATE TO NOVEMBER 21, 2011; PROPOSED ORDER</i> by Plaintiff Equal Employment Opportunity Commission. (Naccarato, Elizabeth) (Entered: 10/07/2011)
10/11/2011	<u>81</u>	ORDER ON STIPULATION Granting <u>80</u> Stipulation Requesting Extension of the Settlement Conference Date to 11/21/11. Settlement Conference reset for 11/21/2011 09:00 AM in Chambers before Magistrate Judge Carl W. Hoffman. Signed by Magistrate Judge Carl W. Hoffman on 10/11/11. (Copies have been distributed pursuant to the NEF – EDS) (Entered: 10/12/2011)
10/21/2011	<u>82</u>	SUPPLEMENT to <u>71</u> Pretrial Order, ; <i>Plaintiff EEOC's Supplemental Pretrial Disclosures</i> by Plaintiff Equal Employment Opportunity Commission. (Mallik, Amrita) (Entered: 10/21/2011)
11/04/2011	<u>83</u>	MOTION to Bifurcate Trial <i>Motion in Limine to Bifurcate The Trial into Two Phases: Liability and Punitive Damages, Alternatively, to Exclude Prospect's Financial Worth and Conduct Post-Lamas</i> by Defendant Prospect Airport Services, INC. Responses due by 11/21/2011. (Garin, Joseph) (Entered: 11/04/2011)
11/04/2011	<u>84</u>	MOTION in Limine <i>to Exclude Witnesses not Disclosed During Discovery</i> by Defendant Prospect Airport Services, INC. Responses due by 11/21/2011. (Garin, Joseph) (Entered: 11/04/2011)
11/04/2011	<u>85</u>	MOTION in Limine <i>to Exclude Argument and Evidence that Rudolpho Lamas Found any Conduct Before the Third Note Harassing</i> by Defendant Prospect Airport Services, INC. Responses due by 11/21/2011. (Garin, Joseph) (Entered: 11/04/2011)
11/04/2011	<u>86</u>	MOTION in Limine <i>to Exclude Evidence of Monetary Damages for the EEOC's Failure to Comply with FRCP 26</i> by Defendant Prospect Airport Services, INC. Responses due by 11/21/2011. (Garin, Joseph) (Entered: 11/04/2011)
11/04/2011	<u>87</u>	MOTION to Compel <i>Production of Therapist's Notes and Motion in Limine to Include Testimony Regarding Therapists Meetings</i> by Defendant Prospect Airport Services, INC. Responses due by 11/21/2011. (Attachments: # <u>1</u> Exhibit 1–3)(Garin, Joseph) (Entered: 11/04/2011)
11/07/2011	<u>88</u>	OBJECTION <i>to Defendant's Proposed Trial Exhibits</i> filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Mallik, Amrita) (Entered: 11/07/2011)
11/07/2011	<u>89</u>	SUPPLEMENT <i>to EEOC's Designation of Deposition Testimony</i> by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service)(Mallik, Amrita) (Entered: 11/07/2011)
11/07/2011	<u>90</u>	SUPPLEMENT to <u>71</u> Pretrial Order, ; by Defendant Prospect Airport Services, INC. (Garin, Joseph) (Entered: 11/07/2011)
11/07/2011	<u>91</u>	MOTION in Limine <i>TO EXCLUDE EVIDENCE AND ARGUMENTS REGARDING CHARGING PARTY RUDOLPHO LAMAS WORK PERFORMANCE AT PROSPECT</i> by Plaintiff Equal Employment Opportunity Commission. Responses due by 11/24/2011. (Attachments: # <u>1</u> Certificate of Service)(Mallik, Amrita) (Entered: 11/07/2011)
11/07/2011	<u>92</u>	MOTION in Limine <i>TO EXCLUDE EVIDENCE AND ARGUMENTS REGARDING CHARGING PARTY RUDOLPHO LAMAS PRIOR AND/OR SUBSEQUENT WORK PERFORMANCE</i> by Plaintiff Equal Employment Opportunity Commission. Responses due by 11/24/2011. (Attachments: # <u>1</u> Certificate of Service)(Naccarato, Elizabeth) (Entered: 11/07/2011)
11/07/2011	<u>93</u>	MOTION in Limine <i>TO EXCLUDE EVIDENCE AND ARGUMENTS REGARDING CHARGING PARTY RUDOLPHO LAMAS PAST SEXUAL BEHAVIOR OR ALLEGED SEXUAL PREDISPOSITION</i> by Plaintiff Equal Employment Opportunity Commission. Responses due by 11/24/2011. (Attachments: # <u>1</u> Certificate of Service)(Mallik, Amrita) (Entered: 11/07/2011)
11/07/2011	<u>94</u>	MOTION in Limine <i>TO EXCLUDE EVIDENCE AND ARGUMENTS REGARDING CHARGING PARTY RUDOLPHO LAMAS MENTAL HEALTH CARE THERAPY AND THERAPY RECORDS OUTSIDE OF INFORMATION REGARDING THE</i>

		<i>HARASSMENT AT ISSUE IN THIS CASE</i> by Plaintiff Equal Employment Opportunity Commission. Responses due by 11/24/2011. (Attachments: # <u>1</u> Certificate of Service)(Naccarato, Elizabeth) (Entered: 11/07/2011)
11/07/2011	<u>95</u>	MOTION in Limine <i>REQUEST FOR JUDICIAL NOTICE</i> by Plaintiff Equal Employment Opportunity Commission. Responses due by 11/24/2011. (Attachments: # <u>1</u> Declaration DECLARATION OF TRIAL ATTORNEY AMRITA MALLIK, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Certificate of Service)(Mallik, Amrita) (Entered: 11/07/2011)
11/10/2011	<u>96</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Kent J. Dawson, on 11/10/2011. By Deputy Clerk: Peggie Vannozzi. RE: <u>83</u> MOTION to Bifurcate Trial Motion in Limine to Bifurcate The Trial into Two Phases: Liability and Punitive Damages, Alternatively, to Exclude Prospect's Financial Worth and Conduct Post-Lamas, (Responses due by 11/16/2011.) (no image attached) (Copies have been distributed pursuant to the NEF – PAV) (Entered: 11/10/2011)
11/14/2011	<u>97</u>	SUPPLEMENT to <u>90</u> Supplement, <u>71</u> Pretrial Order, ; <i>Plaintiff EEOC's Objections to Defendant's Deposition Testimony Designations</i> by Plaintiff Equal Employment Opportunity Commission. (Mallik, Amrita) (Entered: 11/14/2011)
11/15/2011	<u>98</u>	ORDER REGARDING TRIAL. Jury Trial set for 12/5/2011 09:00 AM in LV Courtroom 6D before Judge Kent J. Dawson. Calendar Call set for 11/29/2011 09:00 AM in LV Courtroom 6D before Judge Kent J. Dawson. Exhibit List due by 11/30/2011. Proposed Voir Dire due by 11/30/2011. Proposed Jury Instructions due by 11/30/2011. Trial Briefs due by 11/30/2011. Signed by Judge Kent J. Dawson on 11/15/2011. (Copies have been distributed pursuant to the NEF – PAV) (Entered: 11/15/2011)
11/15/2011	<u>99</u>	SUPPLEMENT to <u>71</u> Pretrial Order, ; (<i>Second</i>) by Defendant Prospect Airport Services, INC. (Garin, Joseph) (Entered: 11/15/2011)
11/16/2011	<u>100</u>	RESPONSE to <u>83</u> MOTION to Bifurcate Trial Motion in Limine to Bifurcate The Trial into Two Phases: Liability and Punitive Damages, Alternatively, to Exclude Prospect's Financial Worth and Conduct Post-Lamas, filed by Plaintiff Equal Employment Opportunity Commission. <i>EEOC's Opposition to Defendant's Motion in Limine to Bifurcate Trial</i> Replies due by 11/26/2011. (Mallik, Amrita) (Entered: 11/16/2011)
11/18/2011	<u>101</u>	OBJECTION to <u>89</u> Supplement, <u>51</u> Transmittal Return of Notice of Appeal, <u>82</u> Supplement ; <i>Defendant Prospect Airport Services, Inc.'s Objections to Plaintiff's Deposition Testimony Designations</i> filed by Defendant Prospect Airport Services, INC. (Garin, Joseph) (Entered: 11/18/2011)
11/18/2011	<u>102</u>	RESPONSE to <u>87</u> MOTION to Compel <i>Production of Therapist's Notes and Motion in Limine to Include Testimony Regarding Therapists Meetings</i> , filed by Plaintiff Equal Employment Opportunity Commission. <i>EEOCS OPPOSITION TO DEFENDANTS MOTION TO COMPEL PRODUCTION OF THERAPISTS NOTES AND TESTIMONY REGARDING THERAPISTS MEETINGS AND COUNTER-MOTION FOR REASONABLE EXPENSES AND ATTORNEYS FEES UNDER FRCP 37(a)(5)(B)</i> . Replies due by 11/28/2011. (Naccarato, Elizabeth) (Entered: 11/18/2011)
11/18/2011	<u>103</u>	RESPONSE to <u>84</u> MOTION in Limine to <i>Exclude Witnesses not Disclosed During Discovery</i> , filed by Plaintiff Equal Employment Opportunity Commission. <i>EEOC's Opposition to Defendant's Motion to Exclude Witnesses</i> (Attachments: # <u>1</u> Declaration of Trial Attorney Amrita Mallik)(Mallik, Amrita) (Entered: 11/18/2011)
11/18/2011	<u>104</u>	RESPONSE to <u>86</u> MOTION in Limine to <i>Exclude Evidence of Monetary Damages for the EEOC's Failure to Comply with FRCP 26</i> , filed by Plaintiff Equal Employment Opportunity Commission. <i>EEOC's Opposition to Defendant's Motion to Exclude Evidence of Damages</i> (Mallik, Amrita) (Entered: 11/18/2011)
11/18/2011	<u>105</u>	RESPONSE to <u>85</u> MOTION in Limine to <i>Exclude Argument and Evidence that Rudolpho Lamas Found any Conduct Before the Third Note Harassing</i> , filed by Plaintiff Equal Employment Opportunity Commission. <i>EEOC's Opposition to Defendant's Motion to Exclude Evidence of Harassment</i> (Mallik, Amrita) (Entered: 11/18/2011)

11/21/2011	<u>106</u>	MINUTES OF PROCEEDINGS – Settlement Conference held on 11/21/2011 before Magistrate Judge Carl W. Hoffman. Crtrm Administrator: <i>M. Woolf</i> ; Pla Counsel: <i>Amrita Mallik, Elizabeth Naccarato</i> ; Def Counsel: <i>Joe Garin, Angelan Nakamura Ochoa, Rory Vohwinkel, Tom Murphy</i> ; Courtroom: 3C; This matter came before the Court for a settlement conference. No Settlement was reached. (no image attached) (Copies have been distributed pursuant to the NEF – MW) (Entered: 11/21/2011)
11/21/2011	<u>107</u>	RESPONSE to <u>93</u> MOTION in Limine <i>TO EXCLUDE EVIDENCE AND ARGUMENTS REGARDING CHARGING PARTY RUDOLPHO LAMAS PAST SEXUAL BEHAVIOR OR ALLEGED SEXUAL PREDISPOSITION</i> ; filed by Defendant Prospect Airport Services, INC. (Attachments: # <u>1</u> Exhibit Exhibits 1–3)(Garin, Joseph) <u>Event type corrected on 11/23/2011.</u> (MJZ) (Entered: 11/21/2011)
11/21/2011	<u>109</u>	Counter MOTION Pursuant to F.R.E. 412; filed by Defendant Prospect Airport Services, Inc. Responses due by 12/8/2011. (MJZ) (Entered: 11/23/2011)
11/22/2011	<u>108</u>	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge Carl W. Hoffman, on 11/22/2011. With good cause appearing, the Honorable Magistrate Judge Carl W. Hoffman recuses himself/herself in this action. IT IS ORDERED that this action is referred to the Clerk for random reassignment of this case for all further proceedings. (no image attached) (Copies have been distributed pursuant to the NEF – MW) (Entered: 11/22/2011)
11/23/2011		NOTICE of Docket Correction to <u>107</u> Reply to Response to Motion. ERROR: Wrong event selected by attorney <u>Joseph P. Garin</u> and document not entered as <i>two</i> separate entries in accordance with Special Order 109. CORRECTION: Entry corrected by Court to <u>107</u> Response to Motion and refiled by Court as <u>109</u> Counter Motion Pursuant to F.R.E. 412. (no image attached) (MJZ) (Entered: 11/23/2011)
11/28/2011	<u>110</u>	REPLY to Response to <u>84</u> MOTION in Limine <i>to Exclude Witnesses not Disclosed During Discovery</i> ; filed by Defendant Prospect Airport Services, Inc.. (Garin, Joseph) (Entered: 11/28/2011)
11/28/2011	<u>111</u>	REPLY to Response to <u>85</u> MOTION in Limine <i>to Exclude Argument and Evidence that Rudolpho Lamas Found any Conduct Before the Third Note Harassing</i> ; filed by Defendant Prospect Airport Services, Inc.. (Garin, Joseph) (Entered: 11/28/2011)
11/28/2011	<u>112</u>	REPLY to Response to <u>86</u> MOTION in Limine <i>to Exclude Evidence of Monetary Damages for the EEOC's Failure to Comply with FRCP 26</i> ; filed by Defendant Prospect Airport Services, Inc.. (Garin, Joseph) (Entered: 11/28/2011)
11/28/2011	<u>113</u>	REPLY to Response to <u>87</u> MOTION to Compel <i>Production of Therapist's Notes and Motion in Limine to Include Testimony Regarding Therapists Meetings</i> ; filed by Defendant Prospect Airport Services, Inc.. (Garin, Joseph) (Entered: 11/28/2011)
11/28/2011	<u>114</u>	RESPONSE to <u>95</u> MOTION in Limine <i>REQUEST FOR JUDICIAL NOTICE</i> , filed by Defendant Prospect Airport Services, Inc.. Replies due by 12/8/2011. (Garin, Joseph) (Entered: 11/28/2011)
11/28/2011	<u>115</u>	RESPONSE to <u>94</u> MOTION in Limine <i>TO EXCLUDE EVIDENCE AND ARGUMENTS REGARDING CHARGING PARTY RUDOLPHO LAMAS MENTAL HEALTH CARE THERAPY AND THERAPY RECORDS OUTSIDE OF INFORMATION REGARDING THE HARASSMENT AT ISSUE IN THIS CASE</i> , filed by Defendant Prospect Airport Services, Inc.. Replies due by 12/8/2011. (Garin, Joseph) (Entered: 11/28/2011)
11/28/2011	<u>116</u>	RESPONSE to <u>91</u> MOTION in Limine <i>TO EXCLUDE EVIDENCE AND ARGUMENTS REGARDING CHARGING PARTY RUDOLPHO LAMAS WORK PERFORMANCE AT PROSPECT</i> , filed by Defendant Prospect Airport Services, Inc.. Replies due by 12/8/2011. (Garin, Joseph) (Entered: 11/28/2011)
11/28/2011	<u>117</u>	OBJECTION to <u>109</u> MOTION in Limine ; <i>EEOCS OBJECTION TO DEFENDANTS COUNTER MOTION IN LIMINE AS UNTIMELY FILED</i> filed by Plaintiff Equal Employment Opportunity Commission. (Mallik, Amrita) (Entered: 11/28/2011)
11/28/2011	<u>118</u>	OBJECTION to <u>101</u> Objection to Document, ; <i>EEOCS OBJECTION TO DEFENDANTS OBJECTIONS TO THE EEOCS DEPOSITION DESIGNATIONS AS UNTIMELY FILED</i> filed by Plaintiff Equal Employment Opportunity Commission.

		(Mallik, Amrita) (Entered: 11/28/2011)
11/28/2011	<u>119</u>	REPLY to Response to <u>83</u> MOTION to Bifurcate Trial <i>Motion in Limine to Bifurcate The Trial into Two Phases: Liability and Punitive Damages, Alternatively, to Exclude Prospect's Financial Worth and Conduct Post-Lamas</i> ; filed by Defendant Prospect Airport Services, Inc.. (Garin, Joseph) (Entered: 11/28/2011)
11/28/2011	<u>120</u>	RESPONSE to <u>92</u> MOTION in Limine <i>TO EXCLUDE EVIDENCE AND ARGUMENTS REGARDING CHARGING PARTY RUDOLPHO LAMAS PRIOR AND/OR SUBSEQUENT WORK PERFORMANCE</i> , filed by Defendant Prospect Airport Services, Inc.. Replies due by 12/8/2011. (Garin, Joseph) (Entered: 11/28/2011)
11/29/2011	<u>121</u>	<p>MINUTES OF PROCEEDINGS – Calendar Call held on 11/29/2011 before Judge Kent J. Dawson. Crtrm Administrator: <i>Peggie Vannozzi</i>; Pla Counsel: <i>Amrita Mallik and Elizabeth Naccarato</i>; Def Counsel: <i>Joseph Garin</i>; Court Reporter/FTR #: <i>Felicia Zabin</i>; Time of Hearing: 9:18 AM – 9:21 AM; Courtroom: 6D; The Court advises counsel that this trial will need to trail to 12/12/2011. Counsel do not object. The Court will issue rulings on the motions in limine. Ms. Naccarato advises the Court that Plaintiff's replies to some of the motions are due on 12/8/2012. The Court asks that the replies be filed by 11/30/2011.</p> <p>Jury Trial is set for 12/12/2011 09:00 AM in LV Courtroom 6D before Judge Kent J. Dawson. Trial briefs, Exhibit Lists, Proposed Voir Dire and Proposed Jury Instructions are due by 12/7/2011. Proposed Voir Dire due by 12/7/2011. Replies due by 11/30/2011. (no image attached) (Copies have been distributed pursuant to the NEF – PAV) (Entered: 11/29/2011)</p>
11/29/2011	<u>122</u>	RESPONSE to <u>117</u> Objection to Document ; <i>Defendant Prospect Airport Services, Inc.'s Opposition to EEOC's Objection to Defendant's Counter Motion in Limine</i> filed by Defendant Prospect Airport Services, Inc.. (Garin, Joseph) (Entered: 11/29/2011)
11/29/2011	<u>123</u>	RESPONSE to <u>118</u> Objection to Document ; <i>Defendant Prospect Airport Services, Inc.'s Opposition to EEOC's Objection to Defendant's Objections to the EEOC's Deposition Designation</i> filed by Defendant Prospect Airport Services, Inc.. (Garin, Joseph) (Entered: 11/29/2011)
11/30/2011	<u>124</u>	MOTION for Hearing <i>re Defendant's Emergency Motion to Allow Short Continuance of Trial Due to Scheduling Conflicts (First Request)</i> by Defendant Prospect Airport Services, Inc.. Motion ripe 11/30/2011. (Garin, Joseph) (Entered: 11/30/2011)
11/30/2011	<u>125</u>	REPLY to Response to <u>91</u> MOTION in Limine <i>TO EXCLUDE EVIDENCE AND ARGUMENTS REGARDING CHARGING PARTY RUDOLPHO LAMAS WORK PERFORMANCE AT PROSPECT</i> ; filed by Plaintiff Equal Employment Opportunity Commission. (Mallik, Amrita) (Entered: 11/30/2011)
11/30/2011	<u>126</u>	REPLY to Response to <u>92</u> MOTION in Limine <i>TO EXCLUDE EVIDENCE AND ARGUMENTS REGARDING CHARGING PARTY RUDOLPHO LAMAS PRIOR AND/OR SUBSEQUENT WORK PERFORMANCE</i> ; filed by Plaintiff Equal Employment Opportunity Commission. (Mallik, Amrita) (Entered: 11/30/2011)
11/30/2011	<u>127</u>	REPLY to Response to <u>95</u> MOTION in Limine <i>REQUEST FOR JUDICIAL NOTICE</i> ; filed by Plaintiff Equal Employment Opportunity Commission. (Mallik, Amrita) (Entered: 11/30/2011)
11/30/2011	<u>128</u>	REPLY to Response to <u>109</u> MOTION in Limine, <u>93</u> MOTION in Limine <i>TO EXCLUDE EVIDENCE AND ARGUMENTS REGARDING CHARGING PARTY RUDOLPHO LAMAS PAST SEXUAL BEHAVIOR OR ALLEGED SEXUAL PREDISPOSITION</i> ; filed by Plaintiff Equal Employment Opportunity Commission. <i>EEOCS REPLY TO DEFENDANTS OPPOSITION TO EEOCS MOTION IN LIMINE TO EXCLUDE EVIDENCE AND ARGUMENTS REGARDING CHARGING PARTY RODHOLPHO LAMAS PAST SEXUAL BEHAVIOR OR ALLEGED SEXUAL PREDISPOSITION [Doc. #107] and OPPOSITION TO DEFENDANTS COUNTERMOTION PURSUANT TO FRE 412 [Doc. #109]</i> (Mallik, Amrita) (Entered: 11/30/2011)

11/30/2011	<u>129</u>	RESPONSE to <u>124</u> MOTION for Hearing <i>re Defendant's Emergency Motion to Allow Short Continuance of Trial Due to Scheduling Conflicts (First Request)</i> , filed by Plaintiff Equal Employment Opportunity Commission. <i>PLAINTIFF EEOCS OPPOSITION TO DEFENDANTS EMERGENCY MOTION TO ALLOW SHORT CONTINUANCE OF TRIAL DUE TO SCHEDULING CONFLICTS [DOC. #124]; DECLARATION OF AMRITA MALLIK IN SUPPORT OF MOTION; and EXHIBITS</i> Replies due by 12/10/2011. (Attachments: # <u>1</u> Declaration Declaration of Trial Attorney Amrita Mallik, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B)(Naccarato, Elizabeth) (Entered: 11/30/2011)
12/01/2011	<u>130</u>	REPLY to Response to <u>124</u> MOTION for Hearing <i>re Defendant's Emergency Motion to Allow Short Continuance of Trial Due to Scheduling Conflicts (First Request)</i> ; filed by Defendant Prospect Airport Services, Inc.. (Garin, Joseph) (Entered: 12/01/2011)
12/01/2011	131	MINUTE ORDER IN CHAMBERS of the Honorable Judge Kent J. Dawson, on 12/1/2011. By Deputy Clerk: Peggie Vannozzi. RE: <u>124</u> MOTION for Hearing <i>re Defendant's Emergency Motion to Allow Short Continuance of Trial Due to Scheduling Conflicts (First Request)</i> . Motion Hearing set for 12/6/2011 09:00 AM in LV Courtroom 6D before Judge Kent J. Dawson. Counsel may participate by telephone by calling the Court's meet-me line (from a land line only), 702-868-4915, conference code 123456. (no image attached) (Copies have been distributed pursuant to the NEF – PAV) (Entered: 12/01/2011)
12/06/2011	132	MINUTES OF PROCEEDINGS – Motion Hearing held on 12/6/2011 before Judge Kent J. Dawson. Crtrm Administrator: <i>Peggie Vannozzi</i> ; Pla Counsel: <i>Amrita Mallik and Elizabeth Naccarato</i> ; Def Counsel: <i>Joseph Garin</i> ; Court Reporter/FTR #: <i>Felicia Zabin</i> ; Time of Hearing: <i>9:18 AM – 9:24 AM</i> ; Courtroom: <i>6D</i> ; The Court asks counsel whether this case could go the week of 12/19/2011. Counsel do not object to the one week continuance. IT IS ORDERED that <u>124</u> Defendant's Emergency Motion to Allow Short Continuance of Trial Due to Scheduling Conflicts is granted. Jury Trial is reset for 12/19/2011 09:00 AM in LV Courtroom 6D before Judge Kent J. Dawson. Exhibit Lists, Proposed Jury Instructions, Proposed Voir Dire and Trial Briefs are due by 12/14/2011. (Copies have been distributed pursuant to the NEF – PAV) (Entered: 12/06/2011)
12/06/2011	<u>133</u>	ORDER Granting <u>83</u> Motion to Bifurcate Trial; Granting in part and Denying in part <u>84</u> Motion in Limine to Exclude Witnesses Not Disclosed During Discovery; Denying <u>85</u> Motion in Limine to Exclude Argument and Evidence that Rudolpho Lamas Found any Conduct Before the Third Note Harassing; Granting in part and Denying in part <u>86</u> Motion in Limine to Exclude Evidence of Monetary Damages; Granting <u>87</u> Motion to Compel; Denying <u>91</u> Motion in Limine to Exclude Evidence and Argument Regarding Charging Party Rudolpho Lamas' Work Performance at Prospect; Denying <u>92</u> Motion in Limine to Exclude Evidence and Arguments Regarding Charging Party Rudolpho Lamas' Propr and/or Subsequent Work Performace; Denying <u>93</u> Motion in Limine to Exclude Evidence and Arguments Regarding Charging Party Rudolpho Lamas Past Sexual Behavior or Alleged Sexual Predisposition; Denying <u>94</u> Motion in Limine to Exclude Evidence and Arguments Regarding Charging Party Rudolpho Lamas Mental Health Care Therapy and Therapy Records Outside of the Information Regarding the Harassment at Issue in this Case.; Granting in part and Denying in part <u>95</u> Motion in Limine Request for Judicial Notice; and Granting <u>109</u> Defendant's Countermotion. Signed by Judge Kent J. Dawson on 12/6/11. (Copies have been distributed pursuant to the NEF – EDS) (Entered: 12/06/2011)
12/14/2011	<u>134</u>	PROPOSED Jury Instructions by Plaintiff Equal Employment Opportunity Commission, Defendant Prospect Airport Services, Inc..(Garin, Joseph) (Entered: 12/14/2011)
12/14/2011	<u>135</u>	PROPOSED Jury Instructions by Defendant Prospect Airport Services, Inc..(Garin, Joseph) (Entered: 12/14/2011)
12/14/2011	<u>136</u>	PROPOSED Verdict Form by Defendant Prospect Airport Services, Inc. (<i>Phase I</i>). (Garin, Joseph) (Entered: 12/14/2011)
12/14/2011	<u>137</u>	PROPOSED Verdict Form by Defendant Prospect Airport Services, Inc. (<i>Phase II of Trial on Punitive Damages</i>). (Garin, Joseph) (Entered: 12/14/2011)

12/14/2011	<u>138</u>	PROPOSED Verdict Form by Plaintiff Equal Employment Opportunity Commission (<i>Phase I</i>). (Attachments: # <u>1</u> Certificate of Service Re Proposed Verdict Form, Phase I)(Mallik, Amrita) (Entered: 12/14/2011)
12/14/2011	<u>139</u>	PROPOSED Verdict Form by Plaintiff Equal Employment Opportunity Commission (<i>Phase II</i>). (Attachments: # <u>1</u> Certificate of Service (Phase II))(Mallik, Amrita) (Entered: 12/14/2011)
12/14/2011	<u>140</u>	PROPOSED Voir Dire by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Certificate of Service Re Proposed Voir Dire)(Mallik, Amrita) (Entered: 12/14/2011)
12/14/2011	<u>141</u>	EXHIBIT LIST (<i>JOINT EXHIBIT LIST</i>) by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Attachment A – Joint Exhibit List, # <u>2</u> Certificate of Service Re Joint Exhibit List)(Mallik, Amrita) (Entered: 12/14/2011)
12/14/2011	<u>142</u>	PROPOSED Jury Instructions by Plaintiff Equal Employment Opportunity Commission <i>EEOC's Separate Proposed Jury Instructions</i> . (Attachments: # <u>1</u> Certificate of Service Re Proposed Separate Jury Instructions)(Mallik, Amrita) (Entered: 12/14/2011)
12/14/2011	<u>143</u>	PROPOSED Voir Dire by Defendant Prospect Airport Services, Inc. <i>Prospect Airport Services, Inc's Proposed Jury Voire Dire</i> .(Garin, Joseph) (Entered: 12/14/2011)
12/14/2011	<u>144</u>	TRIAL BRIEF <i>PLAINTIFF EEOCS TRIAL BRIEF; CERTIFICATE OF SERVICE</i> by Plaintiff Equal Employment Opportunity Commission.(Naccarato, Elizabeth) (Entered: 12/14/2011)
12/14/2011	<u>145</u>	EXHIBIT LIST by Defendant Prospect Airport Services, Inc..(Garin, Joseph) (Entered: 12/14/2011)
12/14/2011	<u>146</u>	NOTICE by Defendant Prospect Airport Services, Inc. re <u>145</u> Exhibit List. <i>Reservation of Right to Supplement Trial Exhibit 548</i> (Garin, Joseph) (Entered: 12/14/2011)
12/14/2011	<u>147</u>	STIPULATION AND ORDER TO EXCLUDE EVIDENCE AND ARGUMENT by Defendant Prospect Airport Services, Inc.. (Garin, Joseph) (Entered: 12/14/2011)
12/14/2011	<u>148</u>	TRIAL BRIEF by Defendant Prospect Airport Services, Inc..(Garin, Joseph) (Entered: 12/14/2011)
12/15/2011	<u>149</u>	ORDER Scheduling Settlement Conference: Settlement Conference set for 12/16/2011 at 11:00 AM in ADR Suite before Magistrate Judge Robert J. Johnston. Signed by Magistrate Judge Robert J. Johnston on 12/15/11. (Copies have been distributed pursuant to the NEF – ECS) (Entered: 12/15/2011)
12/15/2011	<u>150</u>	MOTION for Leave to Appear Telephonically. by Defendant Prospect Airport Services, Inc.. Motion ripe 12/15/2011. (Garin, Joseph) (Entered: 12/15/2011)
12/16/2011	<u>151</u>	ORDER Denying <u>150</u> Motion to Allow Telephonic Appearance. Signed by Magistrate Judge Robert J. Johnston on 12/16/11. (Copies have been distributed pursuant to the NEF – EDS) (Entered: 12/16/2011)
12/16/2011	<u>152</u>	ORDER ON STIPULATION Granting <u>147</u> Stipulation to Exclude Evidence and Argument. Signed by Judge Kent J. Dawson on 12/15/11. (Copies have been distributed pursuant to the NEF – EDS) (Entered: 12/16/2011)
12/16/2011	<u>153</u>	SUBPOENA Returned Executed as to Eva Brenes–Minnig (Garin, Joseph) (Entered: 12/16/2011)
12/16/2011	<u>154</u>	SUBPOENA Returned Executed as to Roberto Gonzalez (Garin, Joseph) (Entered: 12/16/2011)
12/16/2011	155	MINUTES OF PROCEEDINGS – Hearing re settlement conference held on 12/16/2011 before Magistrate Judge Robert J. Johnston. Crtrm Administrator: <i>J. Ries</i> ; Pla Counsel: <i>Elizabeth A. Naccarato and Amrita Mallik</i> ; Def Counsel: <i>Joseph P. Garin</i> ; Court Reporter/FTR #: 7:22 – 7:31; Courtroom: 3D; The parties advise the court they have reached a settlement. The settlement is placed on the record. Payment by the defendant is to be completed by 1/6/12. Plaintiffs shall have until 1/10/12 to file a brief regarding injunctive/non-monetary relief. Defendant shall have until 1/31/12 to

		file a response. Reply brief, if any, shall be due 2/10/12. (no image attached) (Copies have been distributed pursuant to the NEF – JAR) (Entered: 12/21/2011)
01/10/2012	<u>156</u>	MOTION Injunctive Relief by Plaintiff Equal Employment Opportunity Commission. Responses due by 1/27/2012. (Attachments: # <u>1</u> Declaration of Trial Attorney Amrita Mallik in Support of EEOC's Motion for Injunctive Relief, # <u>2</u> Exhibit 1 through 10, # <u>3</u> Certificate of Service)(Mallik, Amrita) (Entered: 01/10/2012)
01/31/2012	<u>157</u>	RESPONSE to <u>156</u> MOTION Injunctive Relief, filed by Defendant Prospect Airport Services, Inc.. Replies due by 2/10/2012. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Garin, Joseph) (Entered: 01/31/2012)
01/31/2012	<u>158</u>	OBJECTION to <i>EEOC's Evidence</i> filed by Defendant Prospect Airport Services, Inc.. (Garin, Joseph) (Entered: 01/31/2012)
02/03/2012	<u>159</u>	TRANSCRIPT of Proceedings, 155 Settlement Conference held on 12/16/2011, before Magistrate Judge Robert J. Johnston. Court Reporter/Transcriber: Exceptional Reporting Services, Inc., 361-949-2988. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber using the court's "Transcript Order" form available on our website www.nvd.uscourts.gov before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER Redaction Request due 2/24/2012. Redacted Transcript Deadline set for 3/5/2012. Release of Transcript Restriction set for 5/3/2012. (ABB) (Entered: 02/03/2012)
02/10/2012	<u>160</u>	MOTION to Seal <i>EEOCS MOTION TO FILE DOCUMENTS UNDER SEAL</i> by Plaintiff Equal Employment Opportunity Commission. Motion ripe 2/10/2012. (Mallik, Amrita) (Entered: 02/10/2012)
02/17/2012	<u>162</u>	MOTION for Leave to File <i>Surreply to EEOC's Reply Brief in Support of Its Motion for Injunctive Relief</i> by Defendant Prospect Airport Services, Inc.. Motion ripe 2/17/2012. (Garin, Joseph) (Entered: 02/17/2012)
02/29/2012	<u>163</u>	First MOTION to Amend/Correct <u>160</u> MOTION to Seal <i>EEOCS MOTION TO FILE DOCUMENTS UNDER SEAL. EEOCS FIRST AMENDED MOTION TO FILE DOCUMENTS UNDER SEAL</i> by Plaintiff Equal Employment Opportunity Commission. Responses due by 3/17/2012. (Mallik, Amrita) (Entered: 02/29/2012)
07/25/2012	<u>165</u>	ORDER that Plaintiffs Motion for Injunctive Relief <u>156</u> is DENIED in part and GRANTED in part. Plaintiffs Motion for Leave to File Documents Under Seal <u>160</u> and Plaintiffs Motion to Amend the Motion to File Documents Under Seal <u>163</u> are GRANTED. Defendants Motion for Leave to File a Surreply <u>162</u> is DENIED. Signed by Judge Kent J. Dawson on 7/25/12. (Copies have been distributed pursuant to the NEF – ECS) (Entered: 07/25/2012)
09/13/2012	<u>166</u>	NOTICE of Separation of Government Attorney Michael J. Farrell filed by Plaintiff Equal Employment Opportunity Commission. (Park, Anna) (Entered: 09/13/2012)
11/23/2012	<u>167</u>	NOTICE of Change of Address by Amrita Mallik. (Mallik, Amrita) (Entered: 11/23/2012)
01/07/2013	<u>168</u>	MINUTE ORDER IN CHAMBERS of the Honorable Chief Judge Robert C. Jones, on 1/7/2013. IT IS ORDERED that this case is reassigned to Magistrate Judge Nancy J. Koppe for all further proceedings. Magistrate Judge Robert J. Johnston no longer assigned to case. All further documents must bear the correct case number 2:05-CV-1125 KJD-NJK. (no image attached) (Copies have been distributed pursuant to the NEF – ECS) (Entered: 01/07/2013)
10/30/2013	<u>169</u>	NOTICE TO COUNSEL PURSUANT TO LOCAL RULE 41-1. If no action is taken in this case within thirty (30) days, the Clerk's office will make application to the Court for dismissal for want of prosecution. LR 41-1 dismissal deadline set for 11/29/2013. (ASB) (Entered: 10/30/2013)
11/08/2013	<u>170</u>	STATUS REPORT filed by Plaintiff Equal Employment Opportunity Commission. (Naccarato, Elizabeth) (Entered: 11/08/2013)

03/20/2014	171	MINUTE ORDER IN CHAMBERS of the Honorable Judge Kent J. Dawson, on 3/20/2014. By Deputy Clerk: Denise Saavedra. The Court having reviewed this case with no matters pending before the Court and good cause appearing ORDERS this case to be administratively closed. The Court retains jurisdiction for the enforcement of the Court's order <u>165</u> . The case is subject to being reopened on motion by either party. (no image attached) (Copies have been distributed pursuant to the NEF – DXS) (Entered: 03/20/2014)
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