

CLOSED, JURYDEMAND, PROTO

**U.S. District Court**  
**United States District Court for the Western District of Washington (Seattle)**  
**CIVIL DOCKET FOR CASE #: 2:06-cv-01359-TSZ**

Equal Employment Opportunity Commission v. La Mexicana Inc  
Assigned to: Hon. Thomas S. Zilly  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/21/2006  
Date Terminated: 11/14/2007  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Carmen Flores**  
EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION  
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**Kathryn Blaire Olson**  
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*TERMINATED: 05/29/2007*

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**Intervenor Plaintiff****Ms. Laura Cigarroa**

represented by **Georgia Trejo Locher**  
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Email: glocher@nwlink.com  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant****La Mexicana Inc**

represented by **Barry Alan Johnsrud**  
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*LEAD ATTORNEY*  
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**Defendant**

**Albert Walden**

represented by **Barry Alan Johnsrud**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Laurie L Johnston**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Counter Claimant**

**Albert Walden**

represented by **Barry Alan Johnsrud**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Laurie L Johnston**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Counter Claimant**

**La Mexicana Inc**

represented by **Barry Alan Johnsrud**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Laurie L Johnston**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Counter Defendant**

**Ms. Laura Cigarroa**

represented by **Georgia Trejo Locher**  
(See above for address)  
*LEAD ATTORNEY*

## ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/21/2006	<a href="#">1</a>	COMPLAINT and JURY TRIAL DEMAND against defendant La Mexicana Inc (Summons(es) issued) (Receipt # fee waived) , filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Civil Cover Sheet # <a href="#">2</a> Email request to file new case)(PM, ) (Entered: 09/22/2006)
09/22/2006	<a href="#">2</a>	<del>Letter from Clerk to attorney, William R. Tamayo, re mandatory electronic court filing requirement.</del> <b>DISREGARD. ATTACHED INCORRECT DOCUMENT TO THIS ENTRY. WILL REPOST. SEE NEXT DOCKET ENTRY.</b> (PM, ) Modified on 9/22/2006 (PM, ). Modified on 9/22/2006 (HBR, ). (Entered: 09/22/2006)
09/22/2006	<a href="#">3</a>	Letter from Clerk to attorney, William R. Tamayo, re mandatory electronic court filing requirement. (PM, ) (Entered: 09/22/2006)
10/05/2006	<a href="#">4</a>	ORDER REGARDING INITIAL DISCLOSURES, JOINT STATUS REPORT AND EARLY SETTLEMENT FRCP 26f Conference Deadline is 11/20/2006.Initial Disclosure Deadline is 12/4/2006. Joint Status Report due by 12/4/2006; by Judge Thomas S. Zilly. (CH) (Entered: 10/05/2006)
10/12/2006	<a href="#">5</a>	NOTICE of Appearance by attorney Laurie L Johnston on behalf of Defendant La Mexicana Inc (Johnston, Laurie) (Entered: 10/12/2006)
10/16/2006	<a href="#">6</a>	SERVICE OF SUMMONS and Complaint returned executed upon defendant La Mexicana Inc on 10/10/2006 (LT, ) (Entered: 10/17/2006)
11/02/2006	<a href="#">7</a>	AMENDED COMPLAINT against defendant(s) La Mexicana Inc with JURY DEMAND, filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Certificate of Service)(Flores, Carmen) (Entered: 11/02/2006)
11/14/2006	<a href="#">8</a>	NOTICE of Appearance (Locher, Georgia) (Entered: 11/14/2006)
11/25/2006	<a href="#">9</a>	Stipulated MOTION <i>and Proposed Order Granting Leave to Interevene</i> by Intervenor Plaintiff Laura Cigarroa. Noting Date 11/27/2006. (Attachments: # <a href="#">1</a> Proposed Order)(Locher, Georgia) Modified text on 11/27/2006 (LT, ). (Entered: 11/25/2006)
11/27/2006	<a href="#">10</a>	JOINT STATUS REPORT filed by all parties. Est. Trial Days: 7. (Johnston, Laurie) (Entered: 11/27/2006)
11/29/2006	<a href="#">11</a>	MINUTE ORDER SETTING TRIAL DATE AND RELATED DATES, AND DESIGNATING CASE FOR MEDIATION; Length of Trial: *7 days*. Mediation shall be completed no later than thirty (30) days prior to the trial date. Jury Trial is set for 9/24/2007 at 09:00 AM before Hon. Thomas S. Zilly. Joinder of Parties due by 1/16/2007; Amended Pleadings due by 3/28/2007; Expert Witness Disclosure/Reports under FRCP 26(a)(2) due by 3/28/2007; Motions due by 4/27/2007; Discovery completed by 5/29/2007; Dispositive motions due by 6/26/2007; Settlement conference to be held by 7/26/2007; 39.1 mediation to be completed by 8/27/2007; Motions in Limine due by 8/27/2007; Pretrial Order due

		by 9/12/2007; Pretrial Conference set for 9/14/2007 at 04:00 PM before Hon. Thomas S. Zilly. Trial briefs to be submitted by 9/19/2007; Proposed voir dire/jury instructions due by 9/19/2007; by Judge Thomas S. Zilly. (CH) (Entered: 11/29/2006)
11/29/2006	<a href="#">12</a>	ORDER granting <a href="#">9</a> Stipulated MOTION for Leave to Laura Cigarroa to Intervene as Party Plaintiff and to File Complaint for Damages, by Judge Thomas S. Zilly. (LT, ) (Entered: 11/30/2006)
12/04/2006	<a href="#">13</a>	Intervenor COMPLAINT, filed by Laura Cigarroa.(Locher, Georgia) (Entered: 12/04/2006)
12/14/2006	<a href="#">14</a>	ANSWER to Amended Complaint of <i>EEOC and Affirmative Defenses</i> by La Mexicana Inc.(Johnston, Laurie) (Entered: 12/14/2006)
02/16/2007	<a href="#">15</a>	CORPORATE DISCLOSURE STATEMENT filed pursuant to FRCP 7.1. (Johnston, Laurie) (Entered: 02/16/2007)
02/27/2007	<a href="#">16</a>	Agreed Stipulated MOTION to <i>EXTEND CASE SCHEDULE DEADLINES and TRIAL DATE</i> by Defendant La Mexicana Inc. (Attachments: # <a href="#">1</a> Proposed Order Extending Case Schedule Deadlines and Trial Date)Noting Date 2/27/2007.(Johnston, Laurie) (Entered: 02/27/2007)
03/02/2007	<a href="#">17</a>	ORDER extending case schedule deadlines and trial date, by Judge Thomas S. Zilly. Discovery completed by 7/5/2007,Dispositive motions due by 9/11/2007,Expert Witness Disclosure/Reports under FRCP 26(a)(2) due by 6/13/2007, Motions in Limine due by 11/12/2007, Pretrial Order due by 11/28/2007, 39.1 Mediation due by 11/12/2007, Jury Trial is set for 12/3/2007 before Hon. Thomas S. Zilly, Pretrial Conference set for 11/30/2007 before Hon. Thomas S. Zilly, Settlement Conference set for 10/11/2007 before Hon. Thomas S. Zilly. (CL, ) (Entered: 03/02/2007)
05/10/2007	<a href="#">18</a>	STIPULATION AND PROPOSED ORDER <i>REGARDING LAURA CIGARROA'S MEDICAL AND PSYCHOLOGICAL RECORDS</i> by parties. (Attachments: # <a href="#">1</a> Proposed Order Regarding Laura Cigarroa's Medical and Psychological Records)(Johnston, Laurie) (Entered: 05/10/2007)
05/11/2007	<a href="#">19</a>	ANSWER to Intervenor Complaint of <i>Plaintiff Laura Cigarroa, AFFIRMATIVE DEFENSES and, COUNTERCLAIM</i> against plaintiff Laura Cigarroa by Albert Walden, La Mexicana Inc.(Johnston, Laurie) (Entered: 05/11/2007)
05/14/2007	<a href="#">20</a>	PRAECIPE TO ISSUE SUMMONS by Defendants-Summons Issued. (TS, ) (Entered: 05/15/2007)
05/29/2007	<a href="#">21</a>	NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL on behalf of Plaintiff Equal Employment Opportunity Commission. Carmen Flores is substituted as counsel for Plaintiff. Attorney Kathryn Blaire Olson terminated. <i>John F. Stanley, Supervisory Attorney, Substituted for Kathryn Olson</i> (Flores, Carmen) (Entered: 05/29/2007)
05/31/2007	<a href="#">22</a>	STIPULATED PROTECTIVE ORDER REGARDING LAURA CIGARROA'S MEDICAL AND PSYCHOLOGICAL RECORDS re <a href="#">18</a> Stipulation filed by Defendant La Mexicana Inc, by Judge Thomas S. Zilly. (Entered: 06/01/2007)

07/05/2007	<a href="#">23</a>	Stipulated MOTION <i>for Limited Continuance of Discovery Cut-off</i> by Defendant La Mexicana Inc, Defendant Albert Walden, Counter Claimant Albert Walden (Attachments: # <a href="#">1</a> Proposed Order)Noting Date 7/5/2007.(Johnston, Laurie) Modified on 7/5/2007 to add filer per counsel (KN, ) (Entered: 07/05/2007)
07/05/2007		NOTICE of Docket Text Modification re <a href="#">23</a> Stipulated MOTION <i>for Limited Continuance of Discovery Cut-off</i> : Added filer Albert Walden to docket text per counsel. (KN, ) (Entered: 07/05/2007)
07/10/2007	<a href="#">24</a>	STIPULATED ORDER for Limited Continuance of Discovery Cut-off, by Judge Thomas S. Zilly.(CL, ) (Entered: 07/10/2007)
07/11/2007	<a href="#">25</a>	NOTICE of Unavailability of counsel Carmen Flores for Plaintiff Equal Employment Opportunity Commission from 07/12/2007 to 07/23/2007. (Flores, Carmen) (Entered: 07/11/2007)
08/21/2007	<a href="#">26</a>	<i>Plaintiff in Intervention</i> ANSWER to Counterclaim by Laura Cigarroa.(Locher, Georgia) (Entered: 08/21/2007)
09/11/2007	<a href="#">27</a>	STIPULATION AND PROPOSED ORDER <i>FOR VOLUNTARY DISMISSAL OF IIED AND NIED CLAIMS</i> by parties. (Attachments: # <a href="#">1</a> Proposed Order Dismissing IIED and NIED Claims)(Johnsrud, Barry) (Entered: 09/11/2007)
09/11/2007	<a href="#">28</a>	NOTICE of Appearance by attorney Lisa Ann Cox on behalf of Plaintiff Equal Employment Opportunity Commission. (Cox, Lisa) (Entered: 09/11/2007)
09/13/2007	<a href="#">29</a>	STIPULATION AND PROPOSED ORDER <i>TO CHANGE CASE SCHEDULE</i> by parties. (Flores, Carmen) (Entered: 09/13/2007)
09/13/2007	<a href="#">30</a>	PROPOSED ORDER (Unsigned) re <a href="#">29</a> <i>Stipulation To Change Case Schedule</i> . (Flores, Carmen) (Entered: 09/13/2007)
09/13/2007	<a href="#">31</a>	STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL OF INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS AND NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS CLAIMS with prejudice as to all parties and without attorney's fees or costs to any party re <a href="#">27</a> Stipulation filed by Albert Walden, La Mexicana Inc by Judge Thomas S. Zilly. (TS, ) (Entered: 09/14/2007)
09/14/2007	<a href="#">32</a>	<i>PRAECIPE TO CORRECT PRETRIAL CONFERENCE DATE IN STIPULATION TO CHANGE CASE SCHEDULE</i> by Plaintiff Equal Employment Opportunity Commission. (Flores, Carmen) (Entered: 09/14/2007)
09/14/2007	<a href="#">33</a>	ORDER MODIFYING CASE SCHEDULE PURSUANT TO STIPULATION OF PARTIES by Judge Thomas S. Zilly. 39.1 mediation to be completed by 11/5/2007,Motions in Limine due by 11/5/2007, Pretrial Order due by 11/15/2007, Trial briefs to be submitted by 11/28/2007, Proposed voir dire/jury instructions due by 11/28/2007, Lodging Date due by 11/15/2007, Pretrial Conference set for 11/19/2007 at 03:00 PM before Hon. Thomas S. Zilly. (TS, ) (Entered: 09/14/2007)
11/01/2007	<a href="#">34</a>	MOTION to Bifurcate <i>at Trial Liability and Damages from Injunctive Relief</i> by Defendants Albert Walden, La Mexicana Inc. (Attachments: # <a href="#">1</a> Proposed Order)Noting Date 11/16/2007.(Johnston, Laurie) (Entered: 11/01/2007)

11/01/2007	<a href="#">35</a>	DECLARATION of Laurie L. Johnston filed by Defendants Albert Walden, La Mexicana Inc re <a href="#">34</a> MOTION to Bifurcate at <i>Trial Liability and Damages from Injunctive Relief</i> (Johnston, Laurie) (Entered: 11/01/2007)
11/05/2007	<a href="#">36</a>	MOTIONS IN LIMINE 1-14 by Defendants Albert Walden, La Mexicana Inc, Counter Claimant Albert Walden. (Attachments: # <a href="#">1</a> Proposed Order Regarding Defendants' Motions in Limine 1-14)Noting Date 11/16/2007.(Johnston, Laurie) (Entered: 11/05/2007)
11/05/2007	<a href="#">37</a>	MOTIONS IN LIMINE by Intervenor Plaintiff Laura Cigarroa, Counter Defendant Laura Cigarroa. (Attachments: # <a href="#">1</a> Proposed Order)Noting Date 11/16/2007.(Locher, Georgia) (Entered: 11/05/2007)
11/05/2007	<a href="#">38</a>	MOTIONS IN LIMINE 15 by Defendants Albert Walden, La Mexicana Inc, Counter Claimant Albert Walden. Noting Date 11/16/2007.(Johnston, Laurie) (Entered: 11/05/2007)
11/05/2007	<a href="#">39</a>	MOTIONS IN LIMINE 16 by Defendants Albert Walden, La Mexicana Inc, Counter Claimant Albert Walden. Noting Date 11/16/2007.(Johnston, Laurie) (Entered: 11/05/2007)
11/05/2007	<a href="#">40</a>	MOTIONS IN LIMINE 17-19 by Defendants Albert Walden, La Mexicana Inc, Counter Claimant Albert Walden. Noting Date 11/16/2007.(Johnston, Laurie) (Entered: 11/05/2007)
11/05/2007	<a href="#">41</a>	MOTIONS IN LIMINE 20-27 by Defendants Albert Walden, La Mexicana Inc, Counter Claimant Albert Walden. Noting Date 11/16/2007.(Johnston, Laurie) (Entered: 11/05/2007)
11/05/2007	<a href="#">42</a>	MOTIONS IN LIMINE 28 by Defendants Albert Walden, La Mexicana Inc, Counter Claimant Albert Walden. Noting Date 11/16/2007.(Johnston, Laurie) (Entered: 11/05/2007)
11/05/2007	<a href="#">43</a>	MOTIONS IN LIMINE 29 by Defendants Albert Walden, La Mexicana Inc, Counter Claimant Albert Walden. Noting Date 11/16/2007.(Johnston, Laurie) (Entered: 11/05/2007)
11/05/2007	<a href="#">44</a>	MOTIONS IN LIMINE 30 by Defendants Albert Walden, La Mexicana Inc, Counter Claimant Albert Walden. Noting Date 11/16/2007.(Johnston, Laurie) (Entered: 11/05/2007)
11/05/2007	<a href="#">45</a>	MOTIONS IN LIMINE 31 by Defendants Albert Walden, La Mexicana Inc, Counter Claimant Albert Walden. Noting Date 11/16/2007.(Johnston, Laurie) (Entered: 11/05/2007)
11/05/2007	<a href="#">46</a>	MOTIONS IN LIMINE 32 by Defendants Albert Walden, La Mexicana Inc, Counter Claimant Albert Walden. Noting Date 11/16/2007.(Johnston, Laurie) (Entered: 11/05/2007)
11/05/2007	<a href="#">47</a>	MOTIONS IN LIMINE 33 by Defendants Albert Walden, La Mexicana Inc, Counter Claimant Albert Walden. Noting Date 11/16/2007.(Johnston, Laurie) (Entered: 11/05/2007)
11/05/2007	<a href="#">48</a>	MOTIONS IN LIMINE 34 by Defendants Albert Walden, La Mexicana Inc, Counter Claimant Albert Walden. Noting Date 11/16/2007.(Johnston, Laurie)

		(Entered: 11/05/2007)
11/05/2007	<a href="#">49</a>	DECLARATION of Laurie L. Johnston filed by Defendants Albert Walden, La Mexicana Inc, Counter Claimant Albert Walden re <a href="#">39</a> MOTIONS IN LIMINE 16, <a href="#">47</a> MOTIONS IN LIMINE 33, <a href="#">43</a> MOTIONS IN LIMINE 29, <a href="#">48</a> MOTIONS IN LIMINE 34, <a href="#">40</a> MOTIONS IN LIMINE 17-19, <a href="#">38</a> MOTIONS IN LIMINE 15, <a href="#">44</a> MOTIONS IN LIMINE 30, <a href="#">41</a> MOTIONS IN LIMINE 20-27, <a href="#">46</a> MOTIONS IN LIMINE 32, <a href="#">45</a> MOTIONS IN LIMINE 31, <a href="#">42</a> MOTIONS IN LIMINE 28 (Attachments: # <a href="#">1</a> Exhibit 1-3# <a href="#">2</a> Exhibit 4-6# <a href="#">3</a> Exhibit 7-9)(Johnston, Laurie) (Entered: 11/05/2007)
11/05/2007	<a href="#">50</a>	PROPOSED ORDER (Unsigned) re <a href="#">39</a> MOTIONS IN LIMINE 16, <a href="#">47</a> MOTIONS IN LIMINE 33, <a href="#">43</a> MOTIONS IN LIMINE 29, <a href="#">48</a> MOTIONS IN LIMINE 34, <a href="#">40</a> MOTIONS IN LIMINE 17-19, <a href="#">38</a> MOTIONS IN LIMINE 15, <a href="#">44</a> MOTIONS IN LIMINE 30, <a href="#">41</a> MOTIONS IN LIMINE 20-27, <a href="#">46</a> MOTIONS IN LIMINE 32, <a href="#">45</a> MOTIONS IN LIMINE 31, <a href="#">42</a> MOTIONS IN LIMINE 28 (Johnston, Laurie) (Entered: 11/05/2007)
11/07/2007	<a href="#">51</a>	MINUTE ORDER by Judge Thomas S. Zilly. The Court hereby instructs plaintiff Equal Employment Opportunity Commission and plaintiff-in-intervention Laura Cigarroa to file any responses to said motions within one (1) consolidated brief per party. Any response briefs shall be filed by 11/13/2007. No reply brief may be filed absent specific request of the Court. The parties are advised to be prepared to discuss the motions in limine at the pretrial conference scheduled for 11/19/2007.(TS, ) Modified text on 11/7/2007 (TS, )(mailed copy of order to Laura Cigarora). (Entered: 11/07/2007)
11/08/2007	<a href="#">52</a>	AFFIDAVIT/DECLARATION OF SERVICE OF SUBPOENA upon Veronica Hernandez served on 11/3/2007. (TS, ) (Entered: 11/13/2007)
11/08/2007	<a href="#">53</a>	AFFIDAVIT/DECLARATION OF SERVICE OF SUBPOENA upon Dana Christianson served on 11/6/2007. (TS, ) (Entered: 11/13/2007)
11/13/2007	<a href="#">54</a>	AFFIDAVIT/DECLARATION OF SERVICE OF SUBPOENA upon Hulda Mazariegos, Child & Family Service served on 11/6/2007. (TS, ) (Entered: 11/14/2007)
11/14/2007	<a href="#">55</a>	ORDER OF DISMISSAL: Counsel having notified the Court of settlement of this case, and it appearing that no issue remains for the Court's determination, IT IS ORDERED that this action and all claims asserted herein are DISMISSED with prejudice and without costs to any party. In the event that settlement is not perfected, any party may move to reopen the case within 60 days of the date of this order. Any trial date and pretrial dates previously set are hereby VACATED. Signed by Judge Thomas S. Zilly. (TS, ) (Entered: 11/14/2007)
11/15/2007	<a href="#">56</a>	NOTICE from Mediator Cliff Freed, that on 10/25/07, the parties participated in a mediation. This matter is now resolved. (Freed, Clifford) (Entered: 11/15/2007)
11/27/2007	<a href="#">57</a>	STIPULATION AND PROPOSED ORDER <i>OF PROPOSED CONSENT DECREE AND ORDER OF DISMISSAL</i> by parties. (Attachments: # <a href="#">1</a> Notice to Employees)(Flores, Carmen) (Entered: 11/27/2007)

11/30/2007	<a href="#">58</a>	ORDER by Judge Thomas S. Zilly. The Court APPROVES <a href="#">57</a> the Consent Decree as the final memorialization of the settlement between the parties. The Court will retain jurisdiction of this matter for purposes of enforcing the Consent Decree for two (2) years and six (6) months from the date of the entry of this Order. (CL, ) (Entered: 11/30/2007)
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