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**Electronic Case Filing System
District of Utah (Central)
CIVIL DOCKET FOR CASE #: 2:06-cv-00751-DAK**

Equal Employment Opportunity Commission v. Hamlet
Development et al
Assigned to: Judge Dale A. Kimball
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 09/07/2006
Date Terminated: 07/12/2007
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Stephen J. Sorenson**
US ATTORNEY'S OFFICE (UT)
SALT LAKE CITY, UT 00000
(801)325-3218
Email: Stephen.Sorenson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Loretta F. Medina
EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION (NM)
ALBUQUERQUE AREA OFFICE
505 MARQUETTE NW STE 900
ALBUQUERQUE, NM 87102-2189
(505)248-5230
Email: loretta.medina@eeoc.gov
ATTORNEY TO BE NOTICED

Mary Jo O'Neill
EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION (AZ)
PHOENIX DISTRICT OFFICE
3300 N CENTRAL AVE STE 690
PHOENIX, AZ 85012-1848
(602)640-5000
Email: mary.oneill@eeoc.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Sally C. Shanley
EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION (AZ)
PHOENIX DISTRICT OFFICE

3300 N CENTRAL AVE STE 690
PHOENIX, AZ 85012-1848
(602)640-5032
Email: sally.shanley@eeoc.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

Hamlet Development

represented by **D. Scott Crook**
SMITH HARTVIGSEN PLLC
215 S STATE STE 650
SALT LAKE CITY, UT 84111
(801)413-1600
Email: scott.crook@smithlawonline.com
ATTORNEY TO BE NOTICED

Kathryn J. Steffey
SMITH HARTVIGSEN PLLC
215 S STATE STE 650
SALT LAKE CITY, UT 84111
(801)413-1600
Email: ksteffey@smithlawonline.com
ATTORNEY TO BE NOTICED

Defendant

Hamlet Homes

represented by **D. Scott Crook**
(See above for address)
ATTORNEY TO BE NOTICED

Kathryn J. Steffey
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Stirling Mortgage

represented by **D. Scott Crook**
(See above for address)
ATTORNEY TO BE NOTICED

Kathryn J. Steffey
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Diversified Habitats

represented by **D. Scott Crook**
(See above for address)
ATTORNEY TO BE NOTICED

Kathryn J. Steffey

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/07/2006	<u>1</u>	Case has been opened and assigned to Judge Dale A. Kimball. Plaintiff Equal Employment Opportunity Commission is directed to E-File the Complaint by the end of the business day. Filing Fee waived (USA) (jwt,) (Entered: 09/07/2006)
09/11/2006	<u>2</u>	COMPLAINT against all defendants No Filing Fee, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Civil Cover Sheet) Assigned to Judge Dale A. Kimball (Sorenson, Stephen) (Entered: 09/11/2006)
09/11/2006	<u>3</u>	MOTION for Admission Pro Hac Vice of Sally C. Shanley (no registration fee required) filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Sorenson, Stephen) (Entered: 09/11/2006)
09/11/2006	<u>4</u>	MOTION for Admission Pro Hac Vice of Mary Jo O'Neill (no registration fee required) filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Sorenson, Stephen) (Entered: 09/11/2006)
09/11/2006	<u>5</u>	MOTION for Admission Pro Hac Vice of Loretta F. Medina (no registration fee required) filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Sorenson, Stephen) (Entered: 09/11/2006)
09/14/2006	<u>6</u>	ORDER granting <u>5</u> Motion for Admission Pro Hac Vice of Loretta Medina for Equal Employment Opportunity Commission. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at http://www.utd.uscourts.gov</i> . Signed by Judge Dale A. Kimball on 9/14/06.(blk,) (Entered: 09/15/2006)
09/14/2006	<u>7</u>	ORDER granting <u>4</u> Motion for Admission Pro Hac Vice of Mary Jo O'Neill for Equal Employment Opportunity Commission. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at http://www.utd.uscourts.gov</i> . Signed by Judge Dale A. Kimball on 9/14/06.(blk,) (Entered: 09/15/2006)
09/14/2006	<u>8</u>	ORDER granting <u>3</u> Motion for Admission Pro Hac Vice of Sally C. Shanley for Equal Employment Opportunity Commission. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at http://www.utd.uscourts.gov</i> . Signed by Judge Dale A. Kimball on 9/14/06.(blk,) (Entered: 09/15/2006)
09/26/2006	<u>9</u>	NOTICE of Appearance by Loretta F. Medina on behalf of Equal Employment Opportunity Commission (Medina, Loretta) (Entered: 09/26/2006)

10/16/2006	<u>10</u>	NOTICE of Appearance by D. Scott Crook on behalf of Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats (Crook, D.) (Entered: 10/16/2006)
10/16/2006	<u>11</u>	ACKNOWLEDGEMENT OF SERVICE Executed as to <u>2</u> Complaint Acknowledgement filed by Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats.Hamlet Development served on 10/16/2006, answer due 11/6/2006; Hamlet Homes served on 10/16/2006, answer due 11/6/2006; Stirling Mortgage served on 10/16/2006, answer due 11/6/2006; Diversified Habitats served on 10/16/2006, answer due 11/6/2006. (Crook, D.) (Entered: 10/16/2006)
10/16/2006	<u>12</u>	ANSWER to Complaint filed by Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats.(Crook, D.) (Entered: 10/16/2006)
10/16/2006	<u>13</u>	Defendant's MOTION for Summary Judgment filed by Defendants Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats. (Crook, D.) (Entered: 10/16/2006)
10/16/2006	<u>14</u>	MEMORANDUM in Support re <u>13</u> Defendant's MOTION for Summary Judgment filed by Defendants Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats. (Crook, D.) (Entered: 10/16/2006)
10/16/2006	<u>15</u>	AFFIDAVIT of Scott Carter re <u>14</u> Memorandum in Support of Motion <i>For Summary Judgment</i> filed by Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats. (Crook, D.) (Entered: 10/16/2006)
10/16/2006	<u>16</u>	AFFIDAVIT of Susan Lister re <u>14</u> Memorandum in Support of Motion <i>For Summary Judgment</i> filed by Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats. (Crook, D.) (Entered: 10/16/2006)
10/17/2006	<u>17</u>	NOTICE OF ADR, e-mailed or mailed to Plaintiff Equal Employment Opportunity Commission, Defendants Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats. (blk,) (Entered: 10/17/2006)
10/17/2006	18	<p><u>NOTICE OF INITIAL PRETRIAL CONFERENCE:</u> (Notice generated by clerk) The Attorneys Planning Meeting Report and Proposed Scheduling Order forms, available on the court web site at http://www.utd.uscourts.gov/documents/formpage.html, should be prepared 30 days before the Initial Pretrial Conference hearing date.</p> <p><u>NOTICE TO COUNSEL,</u> The Court <i>may</i> enter a scheduling order and vacate the hearing <i>if</i> counsel (a) file a stipulated Attorneys Planning Meeting Report; and (b) e-mail a Proposed Scheduling Order to ipt@utd.uscourts.gov 30 days before the scheduled hearing. See instructions at http://www.utd.uscourts.gov/documents/ipt.html</p> <p>Initial Pretrial Conference set for 1/17/2007 09:00 AM in Room 477 before Magistrate Judge Paul M. Warner. (blk,) (Entered: 10/17/2006)</p>

11/06/2006	<u>19</u>	Stipulated MOTION to Respond to Defendant's Motion for Summary Judgment re <u>16</u> Affidavit, <u>13</u> Defendant's MOTION for Summary Judgment, <u>14</u> Memorandum in Support of Motion, <u>15</u> Affidavit filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order Order Approving Parties' Rule 56(f) Stipulation)(Medina, Loretta) (Entered: 11/06/2006)
11/06/2006	<u>20</u>	DECLARATION of Loretta Medina re <u>19</u> Stipulated MOTION to Respond to Defendant's Motion for Summary Judgment re <u>16</u> Affidavit, <u>13</u> Defendant's MOTION for Summary Judgment, <u>14</u> Memorandum in Support of Motion, <u>15</u> Affidavit filed by Equal Employment Opportunity Commission. (Medina, Loretta) (Entered: 11/06/2006)
11/06/2006	21	CLERK'S NOTICE OF ERROR re: <u>19</u> Stipulated MOTION to Respond to Defendant's Motion for Summary Judgment re <u>16</u> Affidavit, <u>13</u> Defendant's MOTION for Summary Judgment, <u>14</u> Memorandum in Support of Motion, <u>15</u> Affidavit. Description of error: filer linked more than the previously-filed motion to this motion and used the wrong motion relief. Motion should have read simply 'MOTION re: Rule 56(f)' (alt) (Entered: 11/06/2006)
11/08/2006	<u>22</u>	ORDER granting <u>19</u> Motion to have additional time for discovery and to Respond to Motion for Summary Jgm. Signed by Judge Dale A. Kimball on 11/8/06.(blk,) (Entered: 11/08/2006)
11/14/2006	<u>23</u>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission <i>First Set of Non-Uniform Interrogatories and First Request for Production Of Documents To Defendants</i> (Medina, Loretta) (Entered: 11/14/2006)
12/06/2006	<u>24</u>	Stipulated MOTION to Amend/Correct <u>22</u> Order on Motion to Respond filed by Defendants Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats. (Attachments: # <u>1</u> Text of Proposed Order)(Crook, D.) (Entered: 12/06/2006)
12/08/2006	<u>25</u>	ORDER granting <u>24</u> Motion to Amend/Correct Order Approving Parties Rule 56(f)Stipulation. Signed by Judge Dale A. Kimball on 12/7/06.(blk,) (Entered: 12/08/2006)
12/15/2006	<u>26</u>	REPORT OF ATTORNEY PLANNING MEETING. (Medina, Loretta) (Entered: 12/15/2006)
12/27/2006	<u>27</u>	SCHEDULING ORDER: Initial Pretrial Conference set for 1/17/07 is vacated. Amended Pleadings due by 3/31/2007. Joinder of Parties due by 3/31/2007. Discovery due by 7/20/07 fact, 8/8/2007 expert. Motions due by 9/7/2007. Final Pretrial Conference set for 1/29/2008 02:30 PM in Room 220 before Judge Dale A. Kimball. 7 day Jury Trial set for 2/11/2008 08:30 AM in Room 220 before Judge Dale A. Kimball.. Signed by Judge Brooke C. Wells on 12/27/06. (blk,) (Entered: 12/27/2006)
01/12/2007	<u>28</u>	NOTICE of Appearance by Kathryn J. Steffey on behalf of Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats (Steffey, Kathryn) (Entered: 01/12/2007)

01/12/2007	<u>29</u>	Stipulated MOTION for Protective Order filed by Defendants Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats. (Attachments: # <u>1</u> Text of Proposed Order)(Crook, D.) (Entered: 01/12/2007)
01/19/2007	<u>30</u>	STIPULATED CONFIDENTIALITY ORDER granting <u>29</u> Motion for Protective Order. Signed by Judge Dale A. Kimball on 1/19/07. (blk) (Entered: 01/19/2007)
02/16/2007	<u>31</u>	MEMORANDUM in Opposition re <u>13</u> Defendant's MOTION for Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit List and Exhibits A - D# <u>2</u> Exhibits E - N# <u>3</u> Exhibits O - FF)(Medina, Loretta) (Entered: 02/16/2007)
02/16/2007	<u>32</u>	Cross MOTION for Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission. (Medina, Loretta) (Entered: 02/16/2007)
02/16/2007	<u>33</u>	MEMORANDUM in Support re <u>32</u> Cross MOTION for Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit List and Exhibits A - D# <u>2</u> Exhibits E - N# <u>3</u> Exhibits O - FF)(Medina, Loretta) (Entered: 02/16/2007)
02/20/2007	34	**SEALED DOCUMENT** EXHIBIT S re <u>31</u> Memorandum in Opposition to Motion, <u>33</u> Memorandum in Support of Motion filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # Exhibit S part 2)(blk) (Entered: 02/20/2007)
02/28/2007	<u>35</u>	Stipulated MOTION for Extension of Time to File Response/Reply as to <u>32</u> Cross MOTION for Summary Judgment, <u>13</u> Defendant's MOTION for Summary Judgment filed by Defendants Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats. (Attachments: # <u>1</u> Text of Proposed Order)(Crook, D.) (Entered: 02/28/2007)
03/01/2007	<u>36</u>	ERRATA to <u>31</u> Memorandum in Opposition to Motion, <u>33</u> Memorandum in Support of Motion filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibits G and H)(Medina, Loretta) (Entered: 03/01/2007)
03/02/2007	<u>37</u>	ORDER granting <u>35</u> Motion for Extension of Time to File Response/Reply re <u>32</u> Cross MOTION for Summary Judgment, <u>13</u> Defendant's MOTION for Summary Judgment. Replies due by 4/13/2007. Signed by Judge Dale A. Kimball on 3/1/07. (blk) (Entered: 03/02/2007)
03/21/2007	<u>38</u>	REPLY to Response to Motion re <u>32</u> Cross MOTION for Summary Judgment, <u>13</u> Defendant's MOTION for Summary Judgment <i>Reply Memorandum in Support</i> filed by Defendants Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats. (Attachments: # <u>1</u> Exhibit A- Relevant Portions of the Deposition of Michael Brodsky# <u>2</u> Exhibit B- Relevant Portions of the Deposition of Scott Carter# <u>3</u> Exhibit C- Relevant Portions of the Deposition of Susan M. Lister# <u>4</u> Exhibit D- (Part 1) Photographs of White Boards# <u>5</u> Exhibit D- (Part 2) Photographs of White Boards)(Steffey, Kathryn) (Entered: 03/21/2007)
03/21/2007	<u>39</u>	AFFIDAVIT of John H. Aldous re <u>38</u> Reply Memorandum/Reply to Response to Motion,, filed by Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats. (Steffey, Kathryn) (Entered: 03/21/2007)

03/21/2007	40	AFFIDAVIT of Michael M. Brodsky re 38 Reply Memorandum/Reply to Response to Motion,, filed by Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats. (Attachments: # 1 Exhibit A-(Part 1) Photographs of White Boards# 2 Exhibit A- (Part 2) Photographs of White Boards)(Steffey, Kathryn) (Entered: 03/21/2007)
03/21/2007	41	AFFIDAVIT of David S. Irwin re 38 Reply Memorandum/Reply to Response to Motion,, filed by Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats. (Steffey, Kathryn) (Entered: 03/21/2007)
03/21/2007	42	AFFIDAVIT of Susan M. Lister re 38 Reply Memorandum/Reply to Response to Motion,, <i>Second Affidavit</i> filed by Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats. (Steffey, Kathryn) (Entered: 03/21/2007)
03/21/2007	43	AFFIDAVIT of Scott Carter re 38 Reply Memorandum/Reply to Response to Motion,, <i>Second Affidavit</i> filed by Hamlet Development, Hamlet Homes, Stirling Mortgage, Diversified Habitats. (Steffey, Kathryn) (Entered: 03/21/2007)
04/13/2007	44	REPLY to Response to Motion re 32 Cross MOTION for Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission. (Medina, Loretta) (Entered: 04/13/2007)
05/07/2007	45	NOTICE OF HEARING ON MOTION re: 13 Defendant's MOTION for Summary Judgment, 32 Cross MOTION for Summary Judgment : Motion Hearing set for 6/20/2007 03:00 PM in Room 220 before Judge Dale A. Kimball. (kmj) (Entered: 05/07/2007)
05/21/2007	46	NOTICE of Unavailability by Equal Employment Opportunity Commission <i>Notice Of Unavailability</i> (Medina, Loretta) (Entered: 05/21/2007)
06/14/2007	47	DOCUMENT LODGED consisting of: correspondence (alt) (Entered: 06/15/2007)
07/11/2007	48	NOTICE of Filing Consent Decree by Equal Employment Opportunity Commission (Attachments: # 1)(Medina, Loretta) (Entered: 07/11/2007)
07/12/2007	49	ORDER/CONSENT DECREE and PERMANENT INJUNCTION. Signed by Judge Dale A. Kimball on 7/12/07. <i>CASE CLOSED.(blk)</i> (Entered: 07/12/2007)

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