

CLOSED

**U.S. District Court
Eastern District of California – Live System (Sacramento)
CIVIL DOCKET FOR CASE #: 2:03-cv-00657-GEB-GGH**

EEOC v. Barber Auto Sales, et al
Assigned to: Judge Garland E. Burrell, Jr
Referred to: Magistrate Judge Gregory G. Hollows
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 04/01/2003
Date Terminated: 03/09/2004
Jury Demand: Both
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **William Robert Tamayo**
U.S. Equal Employment Opportunity
Commission
350 The Embarcadero, Suite 500
San Francisco, CA 94105-1260
(415) 625-5645
Fax: (415) 625-5657
Email: william.tamayo@eeoc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Barber Auto Sales Incorporated
Doing business as
Barber Dodge/Jeep/Chrysler/Suzuki

represented by **Carolyn G. Burnette**
Jackson Lewis P.C.
400 Capitol Mall
Suite 1600
Sacramento, CA 95814
916-341-0404
Fax: 916-341-0141
Email: BurnetteC@jacksonlewis.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

White Auto Sales
Doing business as
Fairfield Toyota

represented by **Carolyn G. Burnette**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Barber Dodge
Doing business as
Vallejo Dodge

Defendant

Ron Barber

Defendant

Mike Creeden

represented by **Carolyn G. Burnette**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Dave Waldman

TERMINATED: 09/25/2003

Intervenor

Abdullah Qari

represented by **Bruce R Bernstein**
Law Offices of Bruce R Bernstein
3736 Mt Diablo Boulevard
Suite 300
Lafayette, CA 94549
925-283-1552
Fax: 19252839830
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Paul Stricker
Stricker and Ball
401 West A Street
Suite 2050
San Diego, CA 92101
619-515-9686
Fax: 232-2051
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor

Abdul W Hamidi

represented by **Bruce R Bernstein**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Paul Stricker
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor

Mohammed F Adalat

represented by **Bruce R Bernstein**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Paul Stricker
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor

Nastarn S Gonzalez

represented by **Bruce R Bernstein**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Paul Stricker
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Intervenor

Khalil Asefi

represented by **Bruce R Bernstein**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Paul Stricker
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/01/2003	1	COMPLAINT for civil rights; jury demand, fee status waived, assigned to Judge Garland E. Burrell; referred to Magistrate Judge Gregory G. Hollows (kdc) (Entered: 04/02/2003)
04/01/2003	2	ORDER setting scheduling conference for 9:00 8/11/03 before Judge Garland E. Burrell (kdc) (Entered: 04/02/2003)
05/07/2003	3	RETURN OF SERVICE executed upon defendant Barber Auto Sales on 4/7/03 (kdc) (Entered: 05/08/2003)
05/07/2003	4	RETURN OF SERVICE executed upon defendant White Auto Sales on 4/28/03 (kdc) (Entered: 05/08/2003)
05/12/2003	5	ANSWER by defendant Barber Auto Sales and defendant White Auto Sales to complaint [1-1] (daw) (Entered: 05/13/2003)
05/13/2003	6	NOTICE OF MOTION and MOTION for order permitting to intervene by Khalil Asefi, Abdullah Qari, Abdul W. Hamidi, Mohammed F. Adalat and Nastarn S. Gonzalez; motion TO BE HEARD by Judge Garland E. Burrell; Motion Hearing SET For 9:00 6/16/03 (daw) (Entered: 05/14/2003)
05/13/2003	7	MEMORANDUM OF POINTS AND AUTHORITIES by intervenors Khalil Asefi, Abdullah Qari, Abdul W Hamidi, Mohammed F Adalat, and Nastarn S Gonzalez in SUPPORT of motion to intervene [6-1] (daw) (Entered: 05/14/2003)
05/13/2003	8	DECLARATION of Bruce R. Bernstein in support of [7-1], [6-1] (daw) (Entered: 05/14/2003)
05/13/2003		LODGED proposed order by intervenors Khalil Asefi, Abdullah Qari, Abdul W Hamidi, Mohammed F Adalat, and Nastarn S Gonzalez granting intervention (daw) (Entered: 05/14/2003)
05/15/2003	9	RESPONSE (non-opposition) by plaintiff EEOC to motion to intervene [6-1] (daw) Modified on 05/16/2003 (Entered: 05/16/2003)
05/22/2003	10	ERRATA by counsel for intervenors Khalil Asefi, Abdullah Qari, Abdul W Hamidi, Mohammed F Adalat, and Nastarn S Gonzalez to [6-1] (daw) (Entered: 05/23/2003)
05/27/2003	11	RESPONSE by defendants Barber Auto Sales and White Auto Sales to motion to intervene [6-1] (daw) (Entered: 05/28/2003)
06/04/2003	<u>12</u>	ORDER by Judge Garland E. Burrell ORDERING motion to intervene is [6-1] GRANTED; The proposed complaint attached to the declaration of Attorney Bruce R. Bernstein in support of motion for permitting intervention, which is numbered document 8 on the docket, is deemed filed and served as of the date this order is filed (cc: all counsel) (mdp) (Entered: 06/05/2003)
06/18/2003	13	COMPLAINT IN INTERVENTION by intervenors Khalil Asefi, Abdullah Qari, Abdul W Hamidi, Mohammed F Adalat and Nastarn S Gonzalez; Jury trial demanded (mdp) Modified on 06/19/2003 (Entered: 06/19/2003)
06/20/2003	14	ANSWER by defendants to complaint in intervention [13-1] (alg) (Entered: 06/23/2003)
06/20/2003	15	AMENDED ANSWER [14-1], [5-1] by defendants Barber Auto Sales and White Auto Sales (alg) (Entered: 06/23/2003)
07/24/2003	16	JOINT STATUS REPORT (daw) (Entered: 07/25/2003)
07/29/2003	17	INITIAL DISCOVERY DISCLOSURES by defendant Barber Auto Sales, defendant White Auto Sales regarding (kdc) (Entered: 07/30/2003)

07/31/2003	19	LETTER to court from counsel for intervenors re the filing of an amended complaint (kdc) (Entered: 08/01/2003)
07/31/2003		LODGED amended complaint by intervenors (to include missing paragraphs from original complaint-in-intervention that was never filed with the court) (kdc) (Entered: 08/01/2003)
08/01/2003	<u>18</u>	ORDER by Judge Garland E. Burrell ORDERING status conference RESET for 9:00 10/27/03 (cc: all counsel) (kdc) (Entered: 08/01/2003)
08/01/2003	20	AMENDED COMPLAINT IN INTERVENTION; jury demand; deficiency sheet attached – no leave to file amended complaint (kdc) (Entered: 08/04/2003)
08/04/2003		RESERVICE of DOCUMENT(S) [17–1] addressed to plaintiff EEOC, defendant Barber Auto Sales, defendant White Auto Sales, intervenor Khalil Asefi, intervenor Abdullah Qari, intervenor Abdul W Hamidi, intervenor Mohammed F Adalat, intervenor Nastarn S Gonzalez (kdc) (Entered: 08/04/2003)
08/06/2003	<u>21</u>	ORDER by Judge Garland E. Burrell ORDERING amended complaint in intervention [20–1] STRICKEN for no leave of court (cc: all counsel) (kdc) (Entered: 08/06/2003)
08/11/2003	22	MAIL returned [18–1], [18–2] addressed to intervenor Khalil Asefi's attorney, Robert Paul Stricker; document has been re-served (sk) (Entered: 08/12/2003)
08/13/2003	23	MAIL returned [21–1] addressed to Robert Paul Stricker "not deliverable as addressed" (kdc) (Entered: 08/14/2003)
09/19/2003		LODGED stipulation and order to allow amended complaint in intervention to be filed (ds) (Entered: 09/22/2003)
09/19/2003		LODGED amended complaint in intervention by intervenors (ds) (Entered: 09/22/2003)
09/23/2003	<u>24</u>	STIPULATION AND ORDER by Judge Garland E. Burrell ORDERING that intervenors request to file amd comp GRANTED; Khalil Asefi, Abdullah Qari, Abdul W Hamidi, Mohammed F Adalat, and Nastarn S Gonzalez to file their amended complaint in Intervention (cc: all counsel) (crf) (Entered: 09/23/2003)
09/23/2003	25	INTERVENORS' AMENDED COMPLAINT by intervenors Khalil Asefi, Abdullah Qari, Abdul W Hamidi, Mohammed F Adalat, and Nastarn S Gonzalez; Jury Trial Demand (crf) (Entered: 09/23/2003)
09/25/2003	26	NOTICE OF DISMISSAL as to party Dave Waldman by intervenors from their amended complaint filed 9/23/03 (daw) (Entered: 09/26/2003)
09/29/2003	27	MAIL returned [24–1] addressed to counsel for intervenors Nastarn S Gonzalez, Mohammed F Adalat, Abdul W Hamidi, Abdullah Qari, and Khalil Asefi (crf) (Entered: 09/30/2003)
10/02/2003		RESERVICE of DOCUMENT(S) Stip and order to allow amended complaint in intervention to be filed [24–1] addressed to counsel for intervenors (crf) (Entered: 10/02/2003)
10/09/2003	28	ANSWER by defendant Mike Creeden to intervenors' amended complaint [25–1] (kdc) (Entered: 10/10/2003)
10/09/2003	29	ANSWER by defendant Barber Auto Sales, defendant White Auto Sales to intervenors' amended complaint [25–1] (kdc) (Entered: 10/10/2003)
10/09/2003	30	ANSWER by defendant Ron Barber to intervenors' amended complaint [25–1] (kdc) (Entered: 10/10/2003)
10/14/2003	31	JOINT STATUS REPORT (daw) (Entered: 10/15/2003)
10/20/2003	<u>32</u>	STATUS ORDER by Judge Garland E. Burrell ORDERING status conference vacated on 10/20/03; final pretrial conference set for 3:30 1/24/05; jury trial set for 9:00 4/19/05; motion filing ddl set for 9:00 11/22/04; discovery ddl set for 9/22/04 (cc: all counsel) (kdc) (Entered: 10/20/2003)

10/21/2003	<u>33</u>	NOTICE by plaintiff EEOC of counsel's change of address to 345 Spear Street Ste 500 SF CA 94105 (kdc) (Entered: 10/22/2003)
03/03/2004		LODGED stip and order for dismissal by defendants Barber Auto Sales, White Auto Sales and intervenors Khalil Asefi, Abdullah Qari, Abdul W Hamidi, Mohammed F Adalat and Nastarn S Gonzalez (crf) (Entered: 03/04/2004)
03/09/2004	<u>34</u>	ORDER by Judge Garland E. Burrell ORDERING stipulation and proposed order for dismissal GRANTED; CASE DISMISSED with prejudice pursuant to Rule 41(a); each party will bear its own costs and atty fees (cc: all counsel) (daw) (Entered: 03/09/2004)
03/31/2004		LODGED consent decree (daw) (Entered: 04/01/2004)
04/01/2004	<u>35</u>	CONSENT DECREE by Judge Garland E. Burrell ORDERING that parties consent decree is GRANTED; see order for further details (cc: all counsel) (crf) (Entered: 04/01/2004)