

**U.S. District Court**  
**United States District Court for the Western District of Washington (Tacoma)**  
**CIVIL DOCKET FOR CASE #: 3:05-cv-05671-RBL**

Equal Employment Opportunity Commission v. Labor Ready  
Inc

Assigned to: Judge Ronald B. Leighton

Member case: ([View Member Case](#))

Cause: 42:2000 Job Discrimination (Sex)

Date Filed: 10/12/2005

Date Terminated: 07/06/2006

Jury Demand: Plaintiff

Nature of Suit: 442 Civil Rights: Jobs

Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **A Luis Lucero, Jr**  
EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kathryn Blaire Olson**  
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OPPORTUNITY COMMISSION  
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**Teri L Healy**  
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*LEAD ATTORNEY*  
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V.

**Intervenor Plaintiff**

**Janice Lowell**

*TERMINATED: 07/06/2006*

represented by **Donald Brian Potter**  
522 SW FIFTH AVE  
STE 1110  
PORTLAND, OR 97204-2128  
503-223-2612  
Fax: 503-595-1625  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Labor Ready Inc**

represented by **Lisa Lawrence**  
Labor Ready  
1015 A Street  
Tacoma, WA 98402  
253-680-8479  
Fax: 253-382-2511  
Email: [llawrence@laborready.com](mailto:llawrence@laborready.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**M Edward Taylor**  
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Email: [etaylor@sebrisbusto.com](mailto:etaylor@sebrisbusto.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**IFA Nurseries Inc**

represented by **Kenneth J Diamond**  
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STE 1910  
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**Scott Talmage Cliff**  
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503-221-0309  
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**ATTORNEY TO BE NOTICED**

**Defendant**

**Labor Ready Northwest Inc**

represented by **M Edward Taylor**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/12/2005	<u>1</u>	COMPLAINT against Defendant Labor Ready Inc (Summons(es) issued) (Receipt # - NONE, fee waived per exemption for Federal Agency) , filed by Equal Employment Opportunity Commission. (Attachment: # <u>1</u> Civil Cover Sheet)(KAM, ) (Entered: 10/13/2005)
10/13/2005	<u>2</u>	NOTICE OF INITIAL ASSIGNMENT TO A US MAGISTRATE JUDGE AND CONSENT FORM. If consent, return the executed form by 12/12/2005. <b>Please Note: Consents must <u>not</u> be electronically filed with the Court.</b> (Attachments: # <u>1</u> Consent

		Form) (KAM, ) (Entered: 10/13/2005)
10/13/2005	<u>3</u>	MINUTE ORDER REGARDING INITIAL DISCLOSURES, JOINT STATUS REPORT AND EARLY SETTLEMENT Joint Status Report due by 1/11/2006; by Judge J. Kelley Arnold. (KAM, ) (Entered: 10/13/2005)
10/13/2005	<u>4</u>	MINUTE ORDER REGARDING DISCOVERY AND DEPOSITIONS by Judge J. Kelley Arnold. (KAM, ) (Entered: 10/13/2005)
10/13/2005		Joint Status Report NOTED on motion calendar; Noting Date 1/11/2006. (KAM, ) (Entered: 10/13/2005)
10/24/2005	<u>5</u>	DECLARATION OF SERVICE of summons and complaint by Plaintiff Equal Employment Opportunity Commission on 10/18/05 at 12:00 PM, upon Labor Ready Inc. (KAM, ) (Entered: 10/31/2005)
11/01/2005	<u>6</u>	NOTICE of Appearance by attorney M Edward Taylor on behalf of Defendant Labor Ready Inc (Taylor, M) (Entered: 11/01/2005)
11/02/2005	<u>7</u>	MINUTE ORDER REASSIGNING CASE. This action has been reassigned to Judge Franklin D Burgess. All future documents filed in this case must bear the cause number C05-5671FDB and bear the Judge's name in the upper right hand corner of the document. Please make the necessary corrections to your records reflecting this change by Judge J. Kelley Arnold. (KAM, ) (Entered: 11/02/2005)
11/09/2005	<u>8</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Ronald B. Leighton for all further proceedings as related to CV05-5641RBL. All future documents filed in this case shall bear the cause number CV05-5671RBL. Judge Franklin D. Burgess no longer assigned to case.(RM, ) (Entered: 11/09/2005)
11/14/2005	<u>9</u>	CORPORATE DISCLOSURE STATEMENT filed pursuant to FRCP 7.1. (Taylor, M) (Entered: 11/14/2005)
11/15/2005	<u>10</u>	MOTION to Consolidate Cases by Defendant Labor Ready Inc. Noting Date 12/2/2005. (Attachments: # <u>1</u> Proposed Order Granting Labor Ready's Motion to Consolidate)(Taylor, M) (Entered: 11/15/2005)
11/15/2005	<u>11</u>	DECLARATION of Danielle Covarrubias filed by Defendant Labor Ready Inc re <u>10</u> MOTION to Consolidate Cases (Taylor, M) (Entered: 11/15/2005)
11/15/2005	<u>12</u>	DECLARATION of Teresa Hiatt filed by Defendant Labor Ready Inc re <u>10</u> MOTION to Consolidate Cases (Taylor, M) (Entered: 11/15/2005)
11/17/2005	<u>13</u>	MOTION to Intervene. Noting Date 12/2/2005. (Attachments: # <u>1</u> Proposed Order)(Potter, Donald) (Entered: 11/17/2005)
11/17/2005	<u>14</u>	DECLARATION of Donald B. Potter filed by Intervenor Plaintiff Janice Lowell re <u>13</u> MOTION to Intervene (Attachments: # <u>1</u> Exhibit # <u>2</u> Certificate of Service)(Potter, Donald) (Entered: 11/17/2005)
11/18/2005	<u>15</u>	ANSWER to Complaint by Labor Ready Inc.(Taylor, M) (Entered: 11/18/2005)
11/28/2005	<u>16</u>	STIPULATION AND PROPOSED ORDER to Consolidate Cases by parties. (Taylor, M) (Entered: 11/28/2005)
11/28/2005	<u>17</u>	RESPONSE, by Defendant Labor Ready Inc, to <u>13</u> MOTION to Intervene. (Taylor, M) (Entered: 11/28/2005)
11/28/2005	<u>18</u>	DECLARATION of M. Edward Taylor filed by Defendant Labor Ready Inc re <u>13</u> MOTION to Intervene (Taylor, M) (Entered: 11/28/2005)
11/28/2005	<u>19</u>	DECLARATION of Danielle Covarrubias filed by Defendant Labor Ready Inc re <u>13</u> MOTION to Intervene (Taylor, M) (Entered: 11/28/2005)
11/28/2005	<u>20</u>	DECLARATION of Teresa Hiatt filed by Defendant Labor Ready Inc re <u>13</u> MOTION to Intervene (Taylor, M) (Entered: 11/28/2005)
11/29/2005	<u>21</u>	NOTICE by Defendant Labor Ready Inc re <u>10</u> MOTION to Consolidate Cases to Strike from Motion Calendar (Taylor, M) (Entered: 11/29/2005)

11/29/2005	<u>22</u>	CERTIFICATE OF SERVICE by Defendant Labor Ready Inc re <u>21</u> Notice–Other. (Taylor, M) (Entered: 11/29/2005)
11/29/2005	<u>23</u>	CERTIFICATE OF SERVICE by Defendant Labor Ready Inc re <u>19</u> Declaration, <u>17</u> Response to Motion, <u>18</u> Declaration, <u>16</u> Stipulation, <u>20</u> Declaration. (Taylor, M) (Entered: 11/29/2005)
12/01/2005	<u>24</u>	ORDER GRANTING Stipulated Motion to Consolidate <u>21</u> . Case No. C05–5641RBL is now consolidated under this case and all future pleadings shall be filed under this case No. C05–5671RBL. Signed by Judge Ronald B. Leighton. (DN, ) (Entered: 12/01/2005)
12/02/2005	<u>25</u>	REPLY, filed by Intervenor Plaintiff Janice Lowell, TO RESPONSE to <u>13</u> MOTION to Intervene (Attachments: # <u>1</u> Declaration of Teri Healy# <u>2</u> Certificate of Service)(Potter, Donald) (Entered: 12/02/2005)
12/02/2005	<u>26</u>	REPLY, filed by Plaintiff Equal Employment Opportunity Commission, TO RESPONSE to <u>13</u> MOTION to Intervene (Healy, Teri) (Entered: 12/02/2005)
12/05/2005	<u>27</u>	ORDER granting <u>13</u> Janice Lowell's Motion to Intervene, signed by Judge Ronald B. Leighton.(DN, ) (Entered: 12/05/2005)
12/15/2005	<u>28</u>	Intervenor COMPLAINT <i>FOR DAMAGES AGAINST DEFENDANT IFA</i> with JURY DEMAND, filed by Janice Lowell. (Attachments: # <u>1</u> Certificate of Service)(Potter, Donald) (Entered: 12/15/2005)
12/15/2005	<u>29</u>	Intervenor COMPLAINT <i>FOR DAMAGES AGAINST LABOR READY, INC.</i> with JURY DEMAND, filed by Janice Lowell. (Attachments: # <u>1</u> Certificate of Service)(Potter, Donald) (Entered: 12/15/2005)
12/15/2005		NOTICE of Docket Text Modification re <u>28</u> Intervenor Complaint: Error in filing; to be refiled as dkt <u>30</u> . (DM, ) (Entered: 12/15/2005)
12/15/2005	<u>30</u>	Intervenor COMPLAINT <i>FOR DAMAGES AGAINST IFA NURSERIES, INC.</i> with JURY DEMAND, filed by Janice Lowell. (Attachments: # <u>1</u> Certificate of Service)(Potter, Donald) (Entered: 12/15/2005)
12/20/2005		Set/Reset Deadlines: Due to consolidation and at request of counsel, the Joint Status Report in this case is now due by 1/3/2006. (DN, ) (Entered: 12/20/2005)
12/22/2005		Set/Reset Deadlines: Previous JSR date of 1/3/06 is incorrect; Joint Status Report due by 1/11/2006. (DN, ) (Entered: 12/22/2005)
12/23/2005	<u>31</u>	ANSWER to Intervenor Complaint by IFA Nurseries Inc.(Diamond, Kenneth) (Entered: 12/23/2005)
12/29/2005	<u>32</u>	NOTICE of Appearance by attorney Scott Talmage Cliff on behalf of Defendant IFA Nurseries Inc (Cliff, Scott) (Entered: 12/29/2005)
01/04/2006	<u>33</u>	ANSWER to Intervenor Complaint by Labor Ready Inc.(Taylor, M) (Entered: 01/04/2006)
01/04/2006	<u>34</u>	ANSWER to Intervenor Complaint by IFA Nurseries Inc.(Diamond, Kenneth) (Entered: 01/04/2006)
01/04/2006	<u>35</u>	JOINT STATUS REPORT <i>AND DISCOVERY PLAN</i> filed by all parties. Est. Trial Days: 8–10. (Healy, Teri) (Entered: 01/04/2006)
02/02/2006	<u>36</u>	MOTION for Protective Order by Intervenor Plaintiff Janice Lowell. Noting Date 2/17/2006. (Attachments: # <u>1</u> Exhibit # <u>2</u> Certificate of Service # <u>3</u> Proposed Order)(Potter, Donald) (Entered: 02/02/2006)
02/10/2006	<u>37</u>	NOTICE of Unavailability of counsel M Edward Taylor for Defendant Labor Ready Inc from 2/20/2006 to 2/24/2006 (Taylor, M) (Entered: 02/10/2006)
02/13/2006	<u>38</u>	WITHDRAWAL of Motion by Intervenor Plaintiff Janice Lowell re <u>36</u> MOTION for Protective Order filed by Janice Lowell, (Attachments: # <u>1</u> Certificate of Service)(Potter, Donald) (Entered: 02/13/2006)

02/21/2006	<u>39</u>	MINUTE ORDER SETTING TRIAL, PRETRIAL DATES AND ORDERING MEDIATION; Length of Trial: *8-10 DAYS*. Jury Trial is set for 1/22/2007 at 09:00 AM in B Courtroom before Hon. Ronald B. Leighton. Joinder of Parties due by 3/23/2006; Expert Witness Disclosure/Reports under FRCP 26(a)(2) due by 7/26/2006; Motions due by 9/5/2006; Discovery completed by 9/25/2006; Dispositive motions due by 10/24/2006; Settlement conference to be held by 11/24/2006; 39.1 mediation to be completed by 12/26/2006; 39.1 Settlement Report due by 1/2/2007; Motions in Limine due by 12/26/2006; Pretrial Order due by 1/5/2007; Pretrial Conference set for 1/12/2007 at 08:30 AM in B Courtroom before Hon. Ronald B. Leighton. Trial briefs to be submitted by 1/10/2007; Proposed voir dire/jury instructions due by 1/10/2007; s/Jean Boring as authorized by Judge Ronald B. Leighton. (JAB, ) (Entered: 02/21/2006)
03/09/2006	<u>40</u>	MOTION for Protective Order <i>Pursuant to 26(c)</i> by Plaintiff Equal Employment Opportunity Commission. Noting Date 3/24/2006. (Attachments: # <u>1</u> Proposed Order)(Healy, Teri) (Entered: 03/09/2006)
03/09/2006	<u>41</u>	DECLARATION of Teri Healy filed by Plaintiff Equal Employment Opportunity Commission re <u>40</u> MOTION for Protective Order <i>Pursuant to 26(c)</i> (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I# <u>10</u> Exhibit J# <u>11</u> Exhibit K# <u>12</u> Exhibit L)(Healy, Teri) (Entered: 03/09/2006)
03/09/2006	<u>42</u>	DECLARATION of Valarie Johnson filed by Plaintiff Equal Employment Opportunity Commission re <u>40</u> MOTION for Protective Order <i>Pursuant to 26(c)</i> (Healy, Teri) (Entered: 03/09/2006)
03/20/2006	<u>43</u>	RESPONSE, by Defendants IFA Nurseries Inc, Labor Ready Inc, to <u>40</u> MOTION for Protective Order <i>Pursuant to 26(c)</i> . (Taylor, M) (Entered: 03/20/2006)
03/20/2006	<u>44</u>	DECLARATION of Danielle Covarrubias filed by Defendants IFA Nurseries Inc, Labor Ready Inc re <u>40</u> MOTION for Protective Order <i>Pursuant to 26(c)</i> (Taylor, M) (Entered: 03/20/2006)
03/20/2006	<u>45</u>	DECLARATION of Teresa Hiatt filed by Defendants IFA Nurseries Inc, Labor Ready Inc re <u>40</u> MOTION for Protective Order <i>Pursuant to 26(c)</i> (Taylor, M) (Entered: 03/20/2006)
03/20/2006	<u>46</u>	DECLARATION of M. Edward Taylor filed by Defendant Labor Ready Inc re <u>40</u> MOTION for Protective Order <i>Pursuant to 26(c)</i> (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D)(Taylor, M) (Entered: 03/20/2006)
03/22/2006	<u>47</u>	AFFIDAVIT OF SERVICE OF DEPOSITION SUBPOENA upon Mark Swanson, Underground Specialties, Inc served on 3/17/06. (PL, ) (Entered: 03/24/2006)
03/24/2006	<u>48</u>	STIPULATION AND PROPOSED ORDER to Add Labor Ready Northwest, Inc. as a necessary party by parties. (Attachments: # <u>1</u> Proposed Order)(Healy, Teri) (Entered: 03/24/2006)
03/24/2006	<u>49</u>	AMENDED COMPLAINT against defendant(s) Equal Employment Opportunity Commission with JURY DEMAND, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> )(Healy, Teri) (Entered: 03/24/2006)
03/24/2006	<u>50</u>	REPLY, filed by Plaintiff Equal Employment Opportunity Commission, TO RESPONSE to <u>40</u> MOTION for Protective Order <i>Pursuant to 26(c)</i> (Healy, Teri) (Entered: 03/24/2006)
03/24/2006	<u>51</u>	DECLARATION of Kathryn Olson filed by Plaintiff Equal Employment Opportunity Commission re <u>40</u> MOTION for Protective Order <i>Pursuant to 26(c)</i> (Healy, Teri) (Entered: 03/24/2006)
03/24/2006	<u>52</u>	Second DECLARATION of Teri Healy filed by Plaintiff Equal Employment Opportunity Commission re <u>40</u> MOTION for Protective Order <i>Pursuant to 26(c)</i> (Attachments: # <u>1</u> Exhibit M# <u>2</u> Exhibit N# <u>3</u> Exhibit O# <u>4</u> Exhibit P# <u>5</u> Exhibit Q# <u>6</u> Exhibit R# <u>7</u> Exhibit S# <u>8</u> Exhibit T)(Healy, Teri) (Entered: 03/24/2006)
04/10/2006	<u>53</u>	ORDER on STIPULATION <u>48</u> to add Labor Ready Northwest Inc. as a defendant in this matter. Labor Ready Northwest Inc has been added as a party defendant. Signed by Judge Ronald B. Leighton. (DN, ) (Entered: 04/11/2006)

04/13/2006	<u>54</u>	ORDER granting in part and denying in part <u>40</u> Motion for Protective Order; granting the defendant permission to depose the EEOC investigator subject to limitations set forth in this Order, signed by Judge Ronald B. Leighton.(DN, ) (Entered: 04/13/2006)
04/20/2006	<u>55</u>	NOTICE of Unavailability of counsel Teri L Healy for Plaintiff Equal Employment Opportunity Commission from 04/21/2006 to 05/14/2006 (Healy, Teri) (Entered: 04/20/2006)
04/21/2006	<u>56</u>	ANSWER to Amended Complaint by Labor Ready Inc.(Taylor, M) (Entered: 04/21/2006)
04/21/2006	<u>57</u>	ANSWER to Amended Complaint of <i>Janice Lowell</i> by Labor Ready Inc.(Taylor, M) (Entered: 04/21/2006)
04/25/2006	<u>58</u>	ANSWER to Amended Complaint of <i>Intervenor Janice Lowell</i> by IFA Nurseries Inc.(Cliff, Scott) (Entered: 04/25/2006)
05/22/2006	<u>59</u>	AFFIDAVIT OF SERVICE OF DEPOSITION SUBPOENA upon Teresa Hiatt – EEOC served on 5/16/06. (PL, ) (Entered: 05/23/2006)
06/21/2006	<u>60</u>	STIPULATION AND PROPOSED ORDER <i>PROPOSED SETTLEMENT AGREEMENT AND ORDER DISMISSING ACTION</i> by parties. (Attachments: # <u>1</u> Certificate of Service)(Healy, Teri) (Entered: 06/21/2006)
06/22/2006	<u>61</u>	ORDER on Settlement Agreement and ORDER DISMISSING ACTION <u>60</u> dismissing this matter with prejudice and without costs or attorneys' fees, signed by Judge Ronald B. Leighton. (DN, ) (Entered: 06/23/2006)
07/05/2006	<u>62</u>	STIPULATION AND PROPOSED ORDER of <i>Dismissal</i> by parties. (Taylor, M) (Entered: 07/05/2006)
07/06/2006	<u>63</u>	ORDER on STIPULATION re <u>62</u> DISMISSING the claims of Intervenor Plaintiff Janice Lowell with prejudice and without costs or fees to any party, signed by Judge Ronald B. Leighton. (DN, ) (Entered: 07/06/2006)