

JURY, TERMED

**U.S. District Court**  
**District of Idaho (LIVE Database) Version 3.0.4 (Boise)**  
**CIVIL DOCKET FOR CASE #: 1:95-cv-00287-BLW**

Ybarra, et al v. Selkirk Metalbestos, et al  
Assigned to: Honorable B. Lynn Winmill  
Demand: \$5,000,000  
Cause: 28:1331 Fed. Question

Date Filed: 07/11/1995  
Date Terminated: 10/01/1996  
Jury Demand: Both  
Nature of Suit: 790 Labor: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Paul Ybarra**

represented by **Julie Klein Fischer**  
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*LEAD ATTORNEY*  
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**Plaintiff**

**Andriel Daniel Aguinaga**

represented by **Julie Klein Fischer**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert C Huntley**  
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**Plaintiff**

**Barbara Anaya**

represented by **Julie Klein Fischer**  
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*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Robert C Huntley**  
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**Plaintiff**

**Lionel Chapa**

represented by **Julie Klein Fischer**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert C Huntley**  
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**Plaintiff**

**Robin Delapena**

represented by **Julie Klein Fischer**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert C Huntley**  
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**Plaintiff**

**David Delgadillo**

represented by **Julie Klein Fischer**  
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**Robert C Huntley**  
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**Plaintiff**

**Martha Delgadillo**

represented by **Julie Klein Fischer**  
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**Robert C Huntley**  
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**Plaintiff**

**Eusebio Fuentes**

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**Robert C Huntley**  
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**Plaintiff**

**Manuel Hernandez**

represented by **Julie Klein Fischer**  
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**Plaintiff**

**Louie Lopez**

represented by **Julie Klein Fischer**  
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**Robert C Huntley**  
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**Plaintiff**

**Elizabeth Martinez**

represented by **Julie Klein Fischer**  
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**Robert C Huntley**  
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**Plaintiff**

**Joe Martinez**

represented by **Julie Klein Fischer**  
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**Robert C Huntley**  
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**Plaintiff**

**Norma Ortiz**

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**Robert C Huntley**  
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**Plaintiff**

**Rosa Linda Reyes**

represented by **Julie Klein Fischer**  
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**Robert C Huntley**  
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**Plaintiff**

**Sylvia Robles**

represented by **Julie Klein Fischer**  
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**Robert C Huntley**  
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**Plaintiff**

**Jean Vasquez**

represented by **Julie Klein Fischer**  
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**Robert C Huntley**  
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**Plaintiff**

**Sarah Saenz**

represented by **Julie Klein Fischer**  
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**Robert C Huntley**  
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**Plaintiff**

**Charles Salas**

represented by **Julie Klein Fischer**  
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**Robert C Huntley**  
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**Plaintiff**

**Dan Vargas**

represented by **Julie Klein Fischer**  
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**Robert C Huntley**  
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**Plaintiff**

**Rosemary Salas Garza**

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**Robert C Huntley**  
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**Plaintiff**

**Alva Santana**

represented by **Julie Klein Fischer**  
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**Robert C Huntley**  
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**Plaintiff**

**Raymond Galaviz**

represented by **Julie Klein Fischer**  
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**Robert C Huntley**  
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V.

**Defendant**

**Selkirk Metalbestos NA**  
*an Eljer Industries Company*

**Defendant**

**Eljer Industries Inc**  
*TERMINATED: 09/21/1995*

**Defendant**

**Eljer Manufacturing/HVAC Group**

represented by **Grant T Burgoyne**  
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**Grant T Burgoyne**  
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*TERMINATED: 01/08/1996*  
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**Intervenor**

**Equal Employment Opportunity  
Commission**

represented by **A Luis Lucero, Jr**  
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<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
07/11/1995	1	COMPLAINT AND DEMAND FOR JURY TRIAL (consent notice issued/furnished) (jml) (Entered: 07/12/1995)
08/15/1995	2	FIRST AMENDED COMPLAINT [1-1] by plas; jury demand (wm) (Entered: 08/16/1995)
09/05/1995	3	STIPULATION for amendment relative to proper dfts (wm) (Entered: 09/08/1995)
09/06/1995	4	ANSWER by dft Eljer Manufacturing (wm) (Entered: 09/08/1995)
09/08/1995		ORDER OF REASSIGNMENT TO DISTRICT JUDGE by Honorable Edward J. Lodge reassigning case to Honorable B. Lynn Winmill per General Order #117 (cc: all counsel) (wm) (Entered: 09/20/1995)

09/21/1995	5	ORDER by Honorable B. Lynn Winmill granting stipulation for amendment relative to proper dfts [3-1] dismissing without prejudice party Eljer Industries Inc (cc: all counsel) (wm) (Entered: 09/22/1995)
10/20/1995	6	RETURN OF SERVICE/PROCESS executed upon dft Selkirk Metalbestos on 8/25/95 (wm) (Entered: 10/23/1995)
10/31/1995	7	NOTICE OF STATUS CONFERENCE ; Telephonic Status Conference set for 1:30 12/18/95 before BLW in Boise (wm) (Entered: 11/02/1995)
01/08/1996	8	NOTICE OF ATTORNEY SUBSTITUTION: terminating attorney Grant T Burgoyne with the firm Moffatt Thomas for dft Eljer Manufacturing and substituting attorney Grant T Burgoyne with the firm of Mauk & Smith (wm) (Entered: 01/09/1996)
01/16/1996	9	NOTICE of taking deposition of Pablo Ybarra on 2/13/96 (wm) (Entered: 01/18/1996)
01/16/1996	10	NOTICE of taking deposition of Lionel Chapa on 2/12/96 (wm) (Entered: 01/18/1996)
01/16/1996	11	NOTICE of taking deposition of Robin Delapena on 2/12/96 (wm) (Entered: 01/18/1996)
01/16/1996	12	NOTICE of taking deposition of Linda Reyes on 2/13/96 (wm) (Entered: 01/18/1996)
01/16/1996	13	NOTICE of taking deposition of Jean Vasquez on 2/14/96 (wm) (Entered: 01/18/1996)
01/16/1996	14	NOTICE of taking deposition of David Delgadillo on 2/14/96 (wm) (Entered: 01/18/1996)
01/26/1996	15	SCHEDULING ORDER by Honorable B. Lynn Winmill ; Telephonic Status Conference held 12/18/95 ; Discovery ddl set for 10/28/96 ; Dispositive Motion ddl set for 11/1/96 ; Pretrial Conference set for 2/13/97 at 9:00am ; Jury Trial set for 2/24/97 at 9:00am (cc: all counsel) (wm) (Entered: 02/01/1996)
04/01/1996	16	MOTION by plas for leave to file second amended complaint (wm) (Entered: 04/02/1996)
04/12/1996	17	RESPONSE by dfts to motion for leave to file second amended complaint [16-1] (wm) (Entered: 04/16/1996)
04/24/1996	18	MOTION by dft Eljer Manufacturing for judgment on the pleadings (wm) (Entered: 04/29/1996)
04/24/1996	19	MEMORANDUM by dft Eljer Manufacturing in support of motion for judgment on the pleadings [18-1] (wm) (Entered: 04/29/1996)
04/24/1996	20	MOTION by dft Eljer Manufacturing for judgment on the pleadings (Lionel Chapa) (wm) Modified on 04/30/1996 (Entered: 04/30/1996)
04/24/1996	21	MEMORANDUM by dft Eljer Manufacturing in support of motion for judgment on the pleadings (Lionel Chapa) [20-1] (wm) Modified on 04/30/1996 (Entered: 04/30/1996)



04/24/1996	22	MOTION by dft Eljer Manufacturing for judgment on the pleadings , and to dismiss of the Idaho Human Rights Act claim (Sarah Saenz) (wm) (Entered: 04/30/1996)
04/24/1996	23	MEMORANDUM by dft Eljer Manufacturing in support of motion for judgment on the pleadings [22-1], of motion to dismiss of the Idaho Human Rights Act claim [22-2] (wm) (Entered: 04/30/1996)
04/25/1996	24	ORDER by Honorable B. Lynn Winmill granting motion for leave to file second amended complaint [16-1] (cc: all counsel) (wm) (Entered: 04/30/1996)
04/25/1996	25	SECOND AMENDED COMPLAINT [2-1] by plas; jury demand; adding plas Rosemary Salas Garza, Alva Santana, Raymond Galaviz (wm) (Entered: 04/30/1996)
05/13/1996	26	ANSWER by def Eljer Manufacturing to second amended complaint (dkh) (Entered: 05/15/1996)
05/20/1996	27	NOTICE OF PAST DUE RESPONSE TO MOTION re motion for judgment on the pleadings [18-1] ; Response to motion ddl extended to 5/28/96, motion for judgment on the pleadings [22-1] ; Response to motion ddl extended to 5/28/96, motion to dismiss of the Idaho Human Rights Act claim [22-2] ; Response to motion ddl extended to 5/28/96, motion for judgment on the pleadings (Lionel Chapa) [20-1] ; Response to motion ddl extended to 5/28/96 (wm)
05/20/1996	28	STIPULATION for enlargement of time to respond to motion for judgment on the pleadings (wm) (Entered: 05/21/1996)
05/31/1996	29	MEMORANDUM by dfts Barbara Anaya, Lionel Chapa, Sarah Saenz in opposition re: motion for judgment on the pleadings [18-1], re: motion for judgment on the pleadings [22-1], re: motion to dismiss of the Idaho Human Rights Act claim [22-2], re: motion for judgment on the pleadings (Lionel Chapa) [20-1] (wm) (Entered: 06/03/1996)
05/31/1996	30	AFFIDAVIT of Julie Klein Fischer regarding memorandum [29-1] (wm) (Entered: 06/03/1996)
06/06/1996	31	ORDER by Honorable B. Lynn Winmill granting stipulation for enlargement of time until 5/31/96 to respond to motion for judgment on the pleadings [28-1] (cc: all counsel) (wm) (Entered: 06/11/1996)
06/06/1996	32	MOTION by EEOC to intervene (wm) Modified on 06/17/1996 (Entered: 06/17/1996)
06/06/1996	33	BRIEF by intervenor EEOC in support re: motion to intervene [32-1] (wm) (Entered: 06/17/1996)
06/06/1996	34	DECLARATION of Marcia L. Mitchell in support of motion to intervene [32-1] (wm) (Entered: 06/17/1996)
06/06/1996	35	CERTIFICATE OF SERVICE by EEOC regarding motion to intervene (wm) (Entered: 06/17/1996)
06/10/1996	36	JOINDER by plas joining motion to intervene [32-1] (wm) (Entered: 06/17/1996)

06/21/1996	37	CONSOLIDATED REPLY by dfts to response to motion for judgment on the pleadings [18-1], motion for judgment on the pleadings [22-1], motion for judgment on the pleadings (Lionel Chapa) [20-1] (wm) (Entered: 06/24/1996)
06/24/1996	38	MEMORANDUM by dft Eljer Manufacturing in opposition re: motion to intervene [32-1] (wm) (Entered: 06/25/1996)
06/24/1996	39	AFFIDAVIT of Grant T. Burgoyne in opposition to motion to intervene [32-1] (wm) (Entered: 06/25/1996)
07/09/1996	40	REPLY by intervenor EEOC to response to motion to intervene [32-1] (wm) (Entered: 07/11/1996)
07/09/1996	41	SUPPLEMENTAL DECLARATION of Marcia L. Mitchell in support of motion reply [40-1] (wm) (Entered: 07/11/1996)
07/09/1996	42	DECLARATION of Stephen J. Hunt in support of motion reply [40-1] (wm) (Entered: 07/11/1996)
07/09/1996	43	CERTIFICATE OF SERVICE by intervenor EEOC regarding reply to response to motion to intervene and declatations of Mitchell and Hunt (wm) (Entered: 07/11/1996)
09/24/1996	45	STIPULATION AND ORDER by Honorable B. Lynn Winmill : approving consent decree and dismissing case (cc: all counsel) (wm) (Entered: 10/11/1996)
09/24/1996	46	CONSENT DECREE by Honorable B. Lynn Winmill (cc: all counsel) (wm) (Entered: 10/11/1996)
10/01/1996	44	ORDER by Honorable B. Lynn Winmill granting motion to intervene [32-1], approving the consent decree signed by the parties dismissing case with prejudice , each party to bear their own costs and fees (cc: all counsel) (wm) (Entered: 10/02/1996)

## PACER Service Center

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