

U.S. District Court
Western District of Oklahoma[LIVE] (Oklahoma City)
CIVIL DOCKET FOR CASE #: 5:05-cv-01058-HE

Equal Employment Opportunity Commission v. Health Food
Associates Inc
Assigned to: Honorable Joe Heaton
Case in other court: 06-06354
07-06017
Cause: 42:1983 Civil Rights (Employment Discrimination)

Date Filed: 09/12/2005
Date Terminated: 10/04/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Barbara A Seely**
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V.

Defendant**Health Food Associates Inc***doing business as*

Akin's Natural Foods Market

represented by **John M Hickey**

Barber & Bartz APC

525 S Main St

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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/12/2005	1	COMPLAINT against Health Food Associates Inc, filed by Equal Employment Opportunity Commission. (Attachments: # 1 Civil Cover Sheet)(fp,) (Entered: 09/12/2005)
09/12/2005	2	ENTRY of Appearance by Michelle M Robertson on behalf of Equal Employment Opportunity Commission (fp,) (Entered: 09/12/2005)
09/12/2005	3	PRAECIPE for 1 Summons by Equal Employment Opportunity Commission., Summons Issued as to Health Food Associates Inc. (fp,) (Entered: 09/12/2005)
09/12/2005	4	GENERAL ORDER 04-02 (April 15, 2004) Mandatory Electronic Case Filing. Signed by Judge Joe Heaton on 4/15/04. (fp,) (Entered: 09/12/2005)
09/26/2005	5	SUMMONS Returned Executed by Equal Employment Opportunity Commission. Health Food Associates Inc served on 9/16/2005, answer due 10/6/2005. (Robertson, Michelle) (Entered: 09/26/2005)
10/06/2005	6	ANSWER to Complaint by Health Food Associates Inc.(Hickey, John) (Entered: 10/06/2005)
10/06/2005	7	ENTRY of Appearance by John M Hickey on behalf of Health Food Associates Inc (Hickey, John) (Entered: 10/06/2005)
10/13/2005	8	ORDER FOR STATUS CONFERENCE Status Conference set for 11/29/2005 10:30 AM in Chambers before Honorable Joe Heaton. Joint Status Report and Discovery Plan due 11/21/05. Signed by Judge Joe Heaton on 10/13/05. (jw,) (Entered: 10/13/2005)

10/18/2005	9	AMENDED ORDER FOR STATUS CONFERENCE Joint Status Report and Discovery Plan due by 11/21/2005. Status Conference set for 11/29/2005 10:30 AM in Chambers before Honorable Joe Heaton.. Signed by Judge Joe Heaton on 10/18/05. (jw,) (Entered: 10/18/2005)
11/21/2005	10	JOINT STATUS REPORT AND DISCOVERY PLAN by Plaintiff Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 11/21/2005)
11/28/2005	11	ENTRY of Appearance by Paul D Kingsolver on behalf of Health Food Associates Inc (Kingsolver, Paul) (Entered: 11/28/2005)
11/29/2005	12	SCHEDULING ORDER: Motions to join due 30 days from today; Motions to amend due 30 days from today; Pla witness list due 7/1/06, dft 10 days thereafter; Pla exhibit list due 7/1/06, dft 10 days thereafter; Pltf to file final lists of expert witnesses and reports by 6/15/06, dft to file lists of expert witnesses and reports by 7/1/06 Motions in limine due 10/15/06; Jury instructions due 10/15/06; Voir dire requests due 10/16/05; Discovery due by 8/1/2006. Jury Trial set for docket commencing 11/6/2006 09:00 AM in Courtroom #304 before Honorable Joe Heaton. Motions due by 8/15/2006. Pretrial Report due by 10/15/2006. As more fully set out. Signed by Judge Joe Heaton on 11/29/05. (jw,) (Entered: 11/29/2005)
02/16/2006	13	ENTRY of Appearance by Barbara A Seely on behalf of Equal Employment Opportunity Commission (Seely, Barbara) (Entered: 02/16/2006)
02/24/2006	14	ENTRY of Appearance by Robert G Johnson on behalf of Equal Employment Opportunity Commission (Johnson, Robert) (Entered: 02/24/2006)
05/16/2006	15	NOTICE of Change of Address by Michelle M Robertson (Robertson, Michelle) (Entered: 05/16/2006)
06/14/2006	16	JOINT MOTION for Protective Order by Health Food Associates Inc. (Kingsolver, Paul) (Entered: 06/14/2006)
06/14/2006	17	UNOPPOSED MOTION for Extension of Time <i>to file Expert Report and Permission to file Report Under Seal</i> by Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 06/14/2006)
06/19/2006	18	ORDER granting 17 Motion for Extension of Time.EEOC shall file the report on or before June 26, 2006, and will be permitted to file it under seal . Signed by Judge Joe Heaton on 6/19/06. (jw,) (Entered: 06/19/2006)
06/19/2006	19	ORDER granting 16 Motion for Protective Order, as more fully set out . Signed by Judge Joe Heaton on 6/19/06. (jw,) (Entered: 06/19/2006)
06/26/2006	20	Witness List <i>for Expert Witness</i> by Plaintiff Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 06/26/2006)
06/26/2006	21	NOTICE of Conventional Filing <i>of Expert Report</i> by Michelle M Robertson on behalf of Equal Employment Opportunity Commission (Robertson, Michelle) (Entered: 06/26/2006)
06/26/2006	22	Witness List <i>for Expert Witness - Amended</i> by Plaintiff Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 06/26/2006)

06/26/2006	23	SEALED DOCUMENT - Plaintiff's EEOC's Expert Report by Equal Employment Opportunity Commission. (pw,) (Entered: 06/27/2006)
06/27/2006	24	UNOPPOSED MOTION for Extension of Time <i>to file expert witness list and reports</i> by Health Food Associates Inc. (Kingsolver, Paul) (Entered: 06/27/2006)
06/27/2006	25	ORDER granting 24 Motion for Extension of Time to File Expert Witness List and Report Deadline. Defendant shall have up to and including July 14, 2006, to file its expert witness list and reports. Signed by Judge Joe Heaton on 6/27/06. (jw,) (Entered: 06/27/2006)
07/03/2006	26	Exhibit List / Witness List by Plaintiff Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 07/03/2006)
07/11/2006	27	Exhibit List / Witness List by Defendant Health Food Associates Inc. (Kingsolver, Paul) (Entered: 07/11/2006)
07/14/2006	28	Exhibit List / Witness List <i>Expert Witness List</i> by Defendant Health Food Associates Inc. (Kingsolver, Paul) (Entered: 07/14/2006)
07/14/2006	29	NOTICE by Health Food Associates Inc <i>of Filing of Defendant Expert Report</i> (Attachments: # 1 Attachment Defendants Expert Report)(Kingsolver, Paul) (Entered: 07/14/2006)
07/19/2006	30	DISCLOSURE STATEMENT - CORPORATE by Health Food Associates Inc. (Kingsolver, Paul) (Entered: 07/19/2006)
08/14/2006	31	UNOPPOSED MOTION for Extension of Time <i>of Motion Deadline for Three Days</i> by Health Food Associates Inc. (Kingsolver, Paul) (Entered: 08/14/2006)
08/15/2006	32	MOTION to Exclude <i>Defendant's Expert Witness</i> by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit 1- Garbacz Deposition# 2 Exhibit 2 - Blalack Deposition# 3 Exhibit 2a- Affidavit of Carbajal# 4 Exhibit 3 - Defendant's Expert's Report# 5 Exhibit 4- Villareal Deposition# 6 Exhibit 5 - Notes of Blalack)(Robertson, Michelle) (Entered: 08/15/2006)
08/15/2006	33	ORDER granting 31 Motion to Extend Motion Deadline, the parties shall have up to and including August 18, 2006, to file dispositive and Daubert motions with the court . Signed by Judge Joe Heaton on 8/15/06. (jw,) (Entered: 08/15/2006)
08/15/2006	34	UNOPPOSED MOTION for Leave <i>to file Exhibits under Seal</i> by Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 08/15/2006)
08/16/2006	35	ORDER granting 34 Motion for Leave to File Exhibits Under Seal, as more fully set out. Signed by Judge Joe Heaton on 8/16/06. (jw,) (Entered: 08/16/2006)
08/16/2006	36	NOTICE of Conventional Filing <i>of Exhibit Six to EEOC's Motion to Strike Expert Witness</i> by Michelle M Robertson on behalf of Equal Employment Opportunity Commission (Robertson, Michelle) (Entered: 08/16/2006)
08/16/2006	37	SEALED DOCUMENT - Exhibit Six to EEOC's Motion to Strike Defendant's Expert Witness by Plaintiff Equal Employment Opportunity Commission. (pw,) (Entered: 08/16/2006)

08/17/2006	38	MOTION for Summary Judgment by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit 1-Complaint# 2 Exhibit 2- Intake Form# 3 Exhibit 3-Charge of Discrimination# 4 Exhibit 4-Notice of Charge of Discrimination# 5 Exhibit 5-Parette Deposition# 6 Exhibit 6-EEOC Request for Information# 7 Exhibit 7-Response of Akins to EEOC RFI# 8 Exhibit 8-Letter of Determination# 9 Exhibit 9-EEOC Letter to Defendant# 10 Exhibit 10-Notice of Conciliation Failure)(Robertson, Michelle) (Entered: 08/17/2006)
08/18/2006	39	MOTION for Summary Judgment by Health Food Associates Inc. (Attachments: # 1 Exhibit 1 - Mark Parette Deposition# 2 Exhibit 2 - Joe Garbacz Deposition# 3 Exhibit 3 - Cherry Dienz Deposition# 4 Exhibit 4 - Amanda McCollum Deposition# 5 Exhibit 5 - Shannon Caldwell Deposition# 6 Exhibit 6 - Jeff Shackelford Deposition# 7 Exhibit 7 - Villareal Expert Witness Report# 8 Exhibit 9 - Andria Talbert Deposition)(Hickey, John) (Entered: 08/18/2006)
08/18/2006	40	NOTICE of Conventional Filing (<i>Defendant's Motion for Summary Judgment, and Brief in Support</i>) by John M Hickey on behalf of Health Food Associates Inc (Hickey, John) (Entered: 08/18/2006)
08/21/2006	41	UNOPPOSED MOTION to Seal Document 39 MOTION for Summary Judgment <i>Exhibit 8 and portions of Motion for Summary Judgment</i> by Health Food Associates Inc. (Hickey, John) (Entered: 08/21/2006)
08/21/2006	42	ORDER granting 41 Motion to Seal Document, a copy of the motion without Exhibit 8 attached and with references to the exhibit redacted shall be filed in the public file . Signed by Judge Joe Heaton on 8/21/06. (jw,) (Entered: 08/21/2006)
08/31/2006	43	UNOPPOSED MOTION for Extension of Time to File Response/Reply as to 39 MOTION for Summary Judgment by Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 08/31/2006)
08/31/2006	44	UNOPPOSED MOTION for Leave to File <i>Oversized Brief</i> by Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 08/31/2006)
09/01/2006	45	ORDER granting 44 Motion for Leave to File Oversized Brief In Response to Defendant's Motion For Summary Judgment, not to exceed 35 pages . Signed by Judge Joe Heaton on 9/1/06. (jw,) (Entered: 09/01/2006)
09/01/2006	46	ORDER granting 43 Motion for Extension of Time to File Response/Reply re 38 MOTION for Summary Judgment, 39 MOTION for Summary Judgment Responses due by 9/8/2006. Signed by Judge Joe Heaton on 9/1/06. (jw,) (Entered: 09/01/2006)
09/05/2006	47	UNOPPOSED MOTION for Extension of Time to File Response/Reply by Health Food Associates Inc. (Kingsolver, Paul) (Entered: 09/05/2006)
09/05/2006	48	ORDER granting 47 Defendants Motion for Extension of Time to File Response/Reply re 38 MOTION for Partial Summary Judgment Responses due by 9/7/2006. Signed by Judge Joe Heaton on 9/5/06. (jw,) (Entered: 09/05/2006)
09/05/2006	49	RESPONSE in Opposition re 32 MOTION to Exclude <i>Defendant's Expert Witness</i> filed by Health Food Associates Inc. (Attachments: # 1 Exhibit 1 - Deposition Transcript (Myers v Glenpool Health Svcs)# 2 Exhibit 2 - Villareal Expert Witness Report# 3 Exhibit 3 - Affidavit of Morey J. Villareal)(Hickey,

		John) (Entered: 09/05/2006)
09/07/2006	50	RESPONSE in Opposition re 38 MOTION for Summary Judgment of EEOC filed by Health Food Associates Inc. (Attachments: # 1 Exhibit 1 - (OMITTED)# 2 Exhibit 2 - Oct 6, 2004 ltr from Barber & Bartz to EEOC# 3 Exhibit 3 - October 7, 2004 E-mail from EEOC# 4 Exhibit 4 - October 21, 2004 ltr from EEOC to Barber & Bartz)(Hickey, John) (Entered: 09/07/2006)
09/07/2006	51	MOTION to Seal Document 50 Response in Opposition to Motion, by Health Food Associates Inc. (Hickey, John) (Entered: 09/07/2006)
09/08/2006	52	RESPONSE in Opposition re 39 MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit 1-Application for Employment# 2 Exhibit 2- Filed Under Seal# 3 Exhibit 3- Stocking Commandments# 4 Exhibit 4-Affidavits# 5 Exhibit 5- Caldwell Deposition# 6 Exhibit 6- Parette Deposition# 7 Exhibit 7-Filed Under Seal# 8 Exhibit 8-Dienz Affidavit# 9 Exhibit 9-Blalock Deposition# 10 Exhibit 10-Garbacz Deposition# 11 Exhibit 11-Dienz Deposition# 12 Exhibit 12-Villareal Deposition# 13 Exhibit 13-Notes of Blalock# 14 Exhibit 14-Nusz Notes# 15 Exhibit 15-Nusz Affidavit# 16 Exhibit 16-Bratcher# 17 Exhibit 17-Akins Stores# 18 Exhibit 18-Merck Manual# 19 Exhibit 19-Plaintiff's Admissions# 20 Exhibit 20-Academic Record# 21 Exhibit 21-Milestone 1 Prog# 22 Exhibit 22-Gold Ages Job Rating# 23 Exhibit 23-Situational Assess# 24 Exhibit 24-Milestone 1 Determination# 25 Exhibit 25-Milestone 1 Progress Rpt# 26 Exhibit 26-Bridges to Work Cert# 27 Exhibit 27-Carbajal Affidavit# 28 Exhibit 28-RFI# 29 Exhibit 29-Under Seal# 30 Exhibit 30-EEOC Q&A)(Robertson, Michelle) (Entered: 09/08/2006)
09/08/2006	53	NOTICE of Conventional Filing <i>Exhibits Under Seal</i> by Michelle M Robertson on behalf of Equal Employment Opportunity Commission (Robertson, Michelle) (Entered: 09/08/2006)
09/08/2006	54	SEALED DOCUMENT: Exhibits 2, 7, & 29 to Response and Objection to Dft's Motion for Summary Judgment 52 Notice of Conventional Filing 53 by Equal Employment Opportunity Commission. (nm,) (Entered: 09/08/2006)
09/11/2006	55	ORDER for Response re 51 MOTION to Seal Document 50 Response in Opposition to Motion, filed by Health Food Associates Inc, The plaitiff is directed to respond to the motion by Friday, September 15, 2006. Signed by Judge Joe Heaton on 9/11/06. (jw,) (Entered: 09/11/2006)
09/12/2006	56	UNOPPOSED MOTION for Leave to File Reply to <i>Plaintiff's Response and Objection to Defendant's Motion for Summary Judgment</i> by Health Food Associates Inc. (Hickey, John) (Entered: 09/12/2006)
09/12/2006	57	RESPONSE to Motion re 51 MOTION to Seal Document 50 Response in Opposition to Motion, filed by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit 1- KS caselaw# 2 Exhibit 2- Defendant's Answer)(Robertson, Michelle) (Entered: 09/12/2006)
09/12/2006	58	UNOPPOSED MOTION for Leave to File Reply to <i>Defendant's Response to EEOC's Motion for Partial Summary Judgment</i> by Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 09/12/2006)

09/12/2006	59	DOCKET: Docket Call set for 11/1/2006 10:00 AM in Courtroom #303 before Honorable Joe Heaton. Jury Trial set for 11/6/2006 09:00 AM in Courtroom #304 before Honorable Joe Heaton. (Attachments: # 1 Courtroom General Rules) (jw,) (Entered: 09/12/2006)
09/13/2006	60	ORDER granting 56 Motion for Leave to File Reply. Defendant has until Monday, September 18, 2006, in which to file its reply . Signed by Judge Joe Heaton on 9/13/06. (jw,) (Entered: 09/13/2006)
09/13/2006	61	ORDER granting 58 Motion for Leave to File Reply, EEOC shall file its reply on or before Monday, September 18, 2006 . Signed by Judge Joe Heaton on 9/13/06. (jw,) (Entered: 09/13/2006)
09/14/2006	62	ORDER SETTING SETTLEMENT CONFERENCE Settlement Conference set for 10/18/2006 09:00 AM in Chambers before Magistrate Judge Bana Roberts. Statements are due by noon on 10/13/2006. Signed by Judge Bana Roberts on 9/14/2006. (bc,) (Entered: 09/14/2006)
09/18/2006	63	REPLY to Response to Motion re 38 MOTION for Summary Judgment filed by Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 09/18/2006)
09/18/2006	64	REPLY to Response to Motion re 39 MOTION for Summary Judgment filed by Health Food Associates Inc. (Attachments: # 1 Exhibit 1 - Omitted (requested to be filed under seal)# 2 Exhibit 2 - Omitted (requested to be filed under seal)# 3 Exhibit 3 - Omitted (requested to be filed under seal)# 4 Exhibit 4 - Omitted (requested to be filed under seal)# 5 Exhibit 5 - Mark Parette Deposition# 6 Exhibit 6 - Shannon Caldwell Deposition# 7 Exhibit 7 - Cherry Dienz Deposition# 8 Exhibit 8 - Sandee Bratcher Deposition# 9 Exhibit 9 - John Blalock Deposition)(Hickey, John) (Entered: 09/18/2006)
09/18/2006	65	UNOPPOSED MOTION to Seal Document 64 Reply to Response to Motion,, <i>Exhibits 1 through 4</i> by Health Food Associates Inc. (Hickey, John) (Entered: 09/18/2006)
09/19/2006	66	ORDER granting 65 Motion to Seal Document 65 UNOPPOSED MOTION to Seal Document 64 Reply to Response to Motion,, <i>Exhibits 1 through 4</i> . Signed by Judge Joe Heaton on 9/19/06. (jw,) (Entered: 09/19/2006)
09/20/2006	67	NOTICE of Conventional Filing (<i>Exhibits 1-4 to Defendant's Reply Brief in Support of Motion for Summary Judgment</i>) by John M Hickey on behalf of Health Food Associates Inc (Hickey, John) (Entered: 09/20/2006)
09/21/2006	68	UNOPPOSED MOTION for Leave <i>to file Surreply</i> by Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 09/21/2006)
09/21/2006	69	SEALED DOCUMENTS - Exhibits 1 through 4 to Defendant's Reply Brief in Support of Motion for Summary Judgment by Defendant Health Food Associates Inc. (pw,) (Entered: 09/21/2006)
09/21/2006	70	ORDER granting 68 Motion for Leave to file a surreply to defendant's reply to EEOC's response to defendant's motion for summary judgment. EEOC shall file its reply on or before Monday, September 25, 2006. Signed by Judge Joe Heaton on 9/21/06. (jw,) (Entered: 09/21/2006)

09/25/2006	71	SURREPLY re 64 Reply to Response to Motion,, filed by Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 09/25/2006)
09/25/2006	72	UNOPPOSED MOTION for Leave to file <i>Exhibit 1 under seal</i> by Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 09/25/2006)
09/26/2006	73	ORDER granting 72 Motion for Leave to file exhibit under seal. EEOC is permitted to file under seal its exhibit containing confidential information and referenced in its surreply . Signed by Judge Joe Heaton on 9/26/06. (jw,) (Entered: 09/26/2006)
09/26/2006	74	NOTICE of Conventional Filing of <i>Sealed Exhibits Associated with EEOC's Surreply</i> by Michelle M Robertson on behalf of Equal Employment Opportunity Commission (Robertson, Michelle) (Entered: 09/26/2006)
09/26/2006	75	SEALED DOCUMENT - Surreply of Plaintiff EEOC to Defendant's Motion for Summary Judgement - Exhibit 1 - by Equal Employment Opportunity Commission. (pw,) (Entered: 09/26/2006)
10/02/2006	76	DESIGNATION OF DEPOSITION TESTIMONY by Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 10/02/2006)
10/02/2006	77	DESIGNATION OF DEPOSITION TESTIMONY by Health Food Associates Inc of <i>Cynthia Barnett</i> . (Attachments: # 1 Exhibit Barnett Transcript (Part 1)# 2 Exhibit - Barnett Transcript (Part 2)# 3 Exhibit - Barnett Transcript (Part 3)# 4 Exhibit - Barnett Transcript (Part 4))(Hickey, John) (Entered: 10/02/2006)
10/03/2006	78	DESIGNATION OF DEPOSITION TESTIMONY by Health Food Associates Inc of <i>Sandee Bratcher</i> . (Attachments: # 1 Exhibit - Bratcher Transcript (Part 1)# 2 Exhibit - Bratcher Transcript (Part 2)# 3 Exhibit - Bratcher Transcript (Part 3)# 4 Exhibit - Bratcher Transcript (Part 4)# 5 Exhibit - Bratcher Transcript (Part 5))(Hickey, John) (Entered: 10/03/2006)
10/03/2006	79	DESIGNATION OF DEPOSITION TESTIMONY by Health Food Associates Inc of <i>Cherry Dienz</i> . (Attachments: # 1 Exhibit - Dienz Transcript (Part 1)# 2 Exhibit - Dienz Transcript (Part 2)# 3 Exhibit - Dienz Transcript (Part 3)# 4 Exhibit - Dienz Transcript (Part 4)# 5 Exhibit - Dienz Transcript (Part 5)# 6 Exhibit - Dienz Transcript (Part 6)# 7 Exhibit - Dienz Transcript (Part 7)# 8 Exhibit - Dienz Transcript (Part 8)# 9 Exhibit - Dienz Transcript (Part 9)# 10 Exhibit - Dienz Transcript (Part 10)# 11 Exhibit - Dienz Transcript (Part 11)# 12 Exhibit - Dienz Transcript (Part 12)# 13 Exhibit - Dienz Transcript (Part 13)# 14 Exhibit - Dienz Transcript (Part 14)# 15 Exhibit - Dienz Transcript (Part 15))(Hickey, John) (Entered: 10/03/2006)
10/03/2006	80	DESIGNATION OF DEPOSITION TESTIMONY by Health Food Associates Inc of <i>John Blaylock</i> . (Attachments: # 1 Exhibit - Blaylock Transcript (Part 1)# 2 Exhibit - Blaylock Transcript (Part 2)# 3 Exhibit - Blaylock Transcript (Part 3)# 4 Exhibit - Blaylock Transcript (Part 4)# 5 Exhibit - Blaylock Transcript (Part 5)# 6 Exhibit - Blaylock Transcript (Part 6)# 7 Exhibit - Blaylock Transcript (Part 7)# 8 Exhibit - Blaylock Transcript (Part 8)# 9 Exhibit - Blaylock Transcript (Part 9)# 10 Exhibit - Blaylock Transcript (Part 10)# 11 Exhibit - Blaylock Transcript (Part 11)# 12 Exhibit - Blaylock Transcript (Part 12)# 13 Exhibit - Blaylock Transcript (Part 13)# 14 Exhibit - Blaylock Transcript (Part

		14)# 15 Exhibit - Blaylock Transcript (Part 15)# 16 Exhibit - Blaylock Transcript (Part 16)# 17 Exhibit - Blaylock Transcript (Part 17)# 18 Exhibit - Blaylock Transcript (Part 18)# 19 Exhibit - Blaylock Transcript (Part 19)# 20 Exhibit - Blaylock Transcript (Part 20)# 21 Exhibit - Blaylock Transcript (Part 21))(Hickey, John) (Entered: 10/03/2006)
10/03/2006	81	DESIGNATION OF DEPOSITION TESTIMONY by Health Food Associates Inc of <i>Andria Talbert</i> . (Attachments: # 1 Exhibit - Talbert Transcript (Part 1)# 2 Exhibit - Talbert Transcript (Part 2)# 3 Exhibit - Talbert Transcript (Part 3)# 4 Exhibit - Talbert Transcript (Part 4)# 5 Exhibit - Talbert Transcript (Part 5)# 6 Exhibit - Talbert Transcript (Part 6)# 7 Exhibit - Talbert Transcript (Part 7)# 8 Exhibit - Talbert Transcript (Part 8)# 9 Exhibit - Talbert Transcript (Part 9)# 10 Exhibit - Talbert Transcript (Part 10)# 11 Exhibit - Talbert Transcript (Part 11)# 12 Exhibit - Talbert Transcript (Part 12)# 13 Exhibit - Talbert Transcript (Part 13)# 14 Exhibit - Talbert Transcript (Part 14)# 15 Exhibit - Talbert Transcript (Part 15)# 16 Exhibit - Talbert Transcript (Part 16))(Hickey, John) (Entered: 10/03/2006)
10/03/2006	82	DESIGNATION OF DEPOSITION TESTIMONY by Equal Employment Opportunity Commission of <i>Joe Garbacz-Amended by EEOC</i> . (Robertson, Michelle) (Entered: 10/03/2006)
10/03/2006	83	MOTION for Protective Order by Equal Employment Opportunity Commission. (Attachments: # 1 Exhibit 1-Request for Admission# 2 Exhibit 2-Amended Admission# 3 Exhibit 3-Notice of Deposition# 4 Exhibit 4-Callaway case# 5 Exhibit 5-Dayton case)(Robertson, Michelle) (Entered: 10/03/2006)
10/04/2006	84	ORDER denying 32 Motion to Exclude, denying 38 Motion for Summary Judgment, granting 39 Motion for Summary Judgment, as more fully set out . Signed by Judge Joe Heaton on 10/4/06. (jw,) (Entered: 10/04/2006)
10/04/2006	85	JUDGMENT in favor of Health Foods Associates against EEOC. Signed by Judge Joe Heaton on 10/4/06. (jw,) (Entered: 10/04/2006)
10/18/2006	86	BILL OF COSTS by Health Food Associates Inc. (Hickey, John) (Entered: 10/18/2006)
10/18/2006	87	AFFIDAVIT re 86 Bill of Costs by Health Food Associates Inc. (Attachments: # 1 Attachment - Bill of Costs)(Hickey, John) (Entered: 10/18/2006)
10/18/2006	88	BRIEF IN SUPPORT re 86 Bill of Costs by Health Food Associates Inc. (Hickey, John) (Entered: 10/18/2006)
10/18/2006	89	MOTION for Attorney Fees <i>and Costs, and Supporting Brief</i> by Health Food Associates Inc. (Attachments: # 1 Exhibit A - Fees# 2 Exhibit A - Costs)(Hickey, John) (Entered: 10/18/2006)
10/19/2006	90	NOTICE OF BILL OF COSTS HEARING, Bill of Costs Hearing set for 11/30/2006 10:00 AM in Court Clerk's Office (jw,) (Entered: 10/19/2006)
11/06/2006	91	OBJECTIONS re 89 MOTION for Attorney Fees <i>and Costs, and Supporting Brief</i> filed by Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 11/06/2006)

11/06/2006	92	OBJECTIONS re 86 Bill of Costs filed by Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 11/06/2006)
11/09/2006	93	MOTION for Leave to File Reply <i>in support of Defendant's Application for Award of Attorney Fees, and Supporting Brief [Dkt 89]</i> by Health Food Associates Inc. (Hickey, John) (Entered: 11/09/2006)
11/16/2006	94	ORDER denying 89 Motion for Attorney Fees, denying 93 Motion for Leave to File Reply, as more fully set out . Signed by Judge Joe Heaton on 11/16/06. (jw,) (Entered: 11/16/2006)
11/28/2006	95	STIPULATION <i>on bill of costs</i> by Health Food Associates Inc. (Kingsolver, Paul) (Entered: 11/28/2006)
11/30/2006	98	Costs Taxed in amount of \$ 3,886.99 per agreement of parties against plaintiff (pw,) (Entered: 12/04/2006)
12/01/2006	96	NOTICE OF APPEAL as to 85 Judgment by Equal Employment Opportunity Commission. (Robertson, Michelle) (Entered: 12/01/2006)
12/04/2006	97	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 96 Notice of Appeal (dl,) (Entered: 12/04/2006)
12/11/2006	99	USCA Case Number 06-6354 for 96 Notice of Appeal filed by Equal Employment Opportunity Commission. (dl,) (Entered: 12/11/2006)
12/14/2006	100	TRANSCRIPT Order Form by Equal Employment Opportunity Commission re 96 Notice of Appeal that transcripts are not necessary. See order form for dates and proceedings. (Robertson, Michelle) (Entered: 12/14/2006)
12/14/2006	101	NOTICE OF CROSS APPEAL by Health Food Associates Inc. (Hickey, John) (Entered: 12/14/2006)
01/24/2007	102	Transmission of Notice of Cross Appeal and Docket Sheet to US Court of Appeals re 101 Notice of Cross Appeal (dl,) (Entered: 01/24/2007)
01/26/2007	103	USCA Case Number 07-6017 for 101 Notice of Cross Appeal filed by Health Food Associates Inc. (dl,) (Entered: 01/26/2007)
01/30/2007	104	TRANSCRIPT LETTER advising that no transcripts are necessary re 96 Notice of Appeal filed by Equal Employment Opportunity Commission. The record is ready for appeal purposes. (dl,) (Entered: 01/30/2007)
02/12/2007	105	MANDATE From USCA Upon consideration of the stipulation to dismiss these appeals. It is ordered that the appeals be and hereby are DISMISSED 96 Notice of Appeal filed by Equal Employment Opportunity Commission, 101 Notice of Cross Appeal filed by Health Food Associates Inc (dl,) (Entered: 02/12/2007)

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