

MTNDDL, REFER, TERMED

**U.S. District Court
District of New Mexico - Version 3.0 (Albuquerque)
CIVIL DOCKET FOR CASE #: 1:04-cv-00729-BB-LCS**

EEOC v. Roswell Radio, Inc
Assigned to: District Judge Bruce D. Black
Referred to: Magistrate Judge Leslie C. Smith
Demand: \$0
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 06/29/2004
Date Terminated: 04/13/2006
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **C Emanuel Smith**
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Defendant

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Date Filed	#	Docket Text
06/29/2004	<u>1</u>	COMPLAINT for civil rights w/jury demand (referred to Magistrate Judge Karen B. Molzen) (emr) (Entered: 06/30/2004)
06/29/2004		LETTER re: consent to proceed before a US Magistrate Judge (emr) (Entered: 06/30/2004)
07/07/2004	<u>2</u>	NOTICE by pltf of refusal to consent to proceed before a US Magistrate Judge (cc: intake) (jrm) (Entered: 07/07/2004)
07/08/2004	<u>3</u>	MINUTE ORDER: transferring case to the Albuquerque Division and reassigning case from Magistrate Judge Leslie C Smith to District Judge Bruce D. Black (cc: all counsel*) (jrm) (Entered: 07/08/2004)
07/22/2004		SUMMONS issued as to deft c/o John M Dunn registered agent (jrm) (Entered: 07/22/2004)
08/05/2004	<u>4</u>	ACCEPTANCE/ACKNOWLEDGEMENT OF SERVICE by deft on 8/5/04 (*) (jrm) (Entered: 08/05/2004)
08/25/2004	<u>5</u>	ANSWER by defendant [1-1] * (sl) (Entered: 08/26/2004)
08/26/2004	<u>6</u>	INITIAL SCHEDULING ORDER by Magistrate Judge Karen B. Molzen Telephonic Rule 16 scheduling conference set for 10/14/04 at 1:30 pm; provisional discovery plan and IPTR due on 10/7/04 (cc: all counsel*) (sl) (Entered: 08/27/2004)
10/05/2004	<u>7</u>	PROVISIONAL DISCOVERY PLAN by parties herein (*) (jrm) (Entered: 10/05/2004)
10/07/2004	<u>8</u>	CERTIFICATE of service by plaintiff of initial disclosures to counsel on 10/7/04 * (vv) (Entered: 10/07/2004)
10/07/2004	<u>9</u>	CERTIFICATE of service of Rule 26(a) initial disclosures by deft to counsel on 10/7/04 (*) (jrm) Modified on 10/08/2004 (Entered: 10/07/2004)
10/13/2004	<u>10</u>	MOTION by deft to stay proceedings (*) (jrm) (Entered: 10/14/2004)
10/13/2004	<u>11</u>	MEMORANDUM by deft in support of motion to stay proceedings [10-1] (*) (jrm) (Entered: 10/14/2004)

10/14/2004	<u>12</u>	CLERK'S MINUTES: before Magistrate Judge Karen B. Molzen Rule 16 scheduling conference held (*) (jrm) (Entered: 10/14/2004)
10/14/2004	<u>13</u>	ORDER by Magistrate Judge Karen B. Molzen setting a settlement conference for 1/12/05 @ 1:30 pm in Las Cruces, NM (cc: all counsel*) (jrm) (Entered: 10/14/2004)
10/27/2004	<u>14</u>	INITIAL PRE-TRIAL REPORT by District Judge Bruce D. Black and Magistrate Judge Karen B. Molzen ; Discovery set for 3/14/05 ; mtn filing ddl set for 4/18/05 ; proposed pretrial order due 6/28/05 ; pretrial conference set for 8:30 am on 8/8/05 ; jury trial set for 9:00 am on 8/23/05 in Roswell, NM ; Estimated # of Trial Days: 7-10; Chances of Settlement: unknown (cc: all counsel) (jrm) Modified on 11/01/2004 (Entered: 10/27/2004)
11/04/2004	<u>15</u>	MEMORANDUM OF RESPONSE by pltf to motion to stay proceedings [10-1] (*) (jrm) (Entered: 11/04/2004)
11/24/2004	<u>16</u>	REPLY by deflt to response to mtn to stay proceedings [10-1]* (kd) (Entered: 11/24/2004)
12/02/2004	<u>17</u>	ERRATA by defendant to reply to motion to stay [16-1] * (sl) (Entered: 12/02/2004)
12/02/2004	<u>18</u>	NOTICE by defendant of completion of briefing on motion to stay proceedings [10-1]* (sl) (Entered: 12/02/2004)
12/07/2004	<u>19</u>	CERTIFICATE of service of 1st set of interrog(s) & 1st request for production by pltf to counsel on 12/6/04 (*) (jrm) (Entered: 12/07/2004)
12/21/2004	<u>20</u>	CERTIFICATE of service of 1st supplemental Rule 26(a) disclosures by deflt to counsel on 12/21/04 (*) (jrm) (Entered: 12/22/2004)
12/22/2004	<u>21</u>	CERTIFICATE of service of 1st supplemental initial disclosures by pltf to counsel on 12/22/04 (*) (jrm) (Entered: 12/22/2004)
01/10/2005	<u>22</u>	CERTIFICATE of service of answers to 1st set of interrog(s) & responses to 1st request for production by deflt to counsel on 1/10/05 (*) (jrm) Modified on 01/11/2005 (Entered: 01/10/2005)
01/10/2005	<u>23</u>	MOTION by deflt for protective order re: striking/discovery (*) (jrm) (Entered: 01/10/2005)
01/10/2005	<u>24</u>	MEMORANDUM of law by deflt in support of motion for protective order re: striking/discovery [23-1] (*) (jrm) (Entered: 01/10/2005)
01/12/2005	<u>25</u>	SETTLEMENT CONFERENCE held before US Magistrate Judge Karen B. Molzen; case did not settle (js) (Entered: 01/13/2005)
01/13/2005	<u>26</u>	MINUTE ORDER: Case referred from Magistrate Judge Karen B Molzen to Magistrate Judge Leslie C. Smith as further described herein (cc: all counsel*) (jrm) (Entered: 01/13/2005)
01/13/2005	<u>27</u>	ORDER by Magistrate Judge Leslie C. Smith Telephonic Status conference re: all pending mtns set for 2/1/05 @ 11:00 am (cc: all counsel*) (jrm) (Entered: 01/13/2005)

01/27/2005	<u>28</u>	RESPONSE by pltf to motion for protective order re: striking/discovery [23-1] (*) (jrm) (Entered: 01/27/2005)
01/28/2005	<u>29</u>	APPENDIX of exhibits filed by pltf in support of response to motion for protective order re: striking/discovery [23-1] (jrm) (Entered: 01/31/2005)
01/31/2005	<u>30</u>	UNOPPOSED MOTION by pltf to extend time until 2/28/05 to serve mtn to compel (*) (jrm) (Entered: 01/31/2005)
02/02/2005	<u>31</u>	MOTION by deft for leave to file supplemental brief in support of its mtn to stay (jrm) (Entered: 02/02/2005)
02/03/2005	<u>32</u>	CERTIFICATE of service of 1st request for admissions & 2nd request for production by pltf to counsel on 2/3/05 (*) (jrm) (Entered: 02/04/2005)
02/10/2005	<u>33</u>	CERTIFICATE of service by defendant of 1st interrogatories, requests for admissions/production to counsel on 2/10/05 * (vv) (Entered: 02/10/2005)
02/11/2005	<u>34</u>	AMENDED CERTIFICATE of service of 1st set of interrog(s), requests for admissions & requests for production by deft to counsel on 2/11/05 (*) (jrm) (Entered: 02/11/2005)
02/17/2005	<u>35</u>	RESPONSE by pltf to motion for leave to file supplemental brief in support of its mtn to stay [31-1] (*) (jrm) (Entered: 02/17/2005)
02/21/2005	<u>36</u>	CERTIFICATE of service of responses to 2nd requests for production & 1st request for admissions by deft to counsel on 2/21/05 (*) (jrm) (Entered: 02/22/2005)
02/25/2005	<u>37</u>	REPLY by defendant to response to motion for leave to file supplemental brief in support of its mtn to stay [31-1] * (vv) (Entered: 02/25/2005)
02/28/2005	<u>38</u>	NOTICE by deft of completion of briefing on mtn for leave to file supplemental brief in support of mtn to stay [31-1] (*) (jrm) (Entered: 02/28/2005)
03/01/2005	<u>39</u>	CERTIFICATE of service of 2nd supplemental initial disclosures by pltf to counsel on 3/1/05 (*) (jrm) (Entered: 03/01/2005)
03/03/2005	<u>40</u>	ORDER by Magistrate Judge Leslie C. Smith setting a settlement conference for 3/15/05 @ 8:15 am in Roswell, NM (cc: all counsel*) (jrm) (Entered: 03/03/2005)
03/14/2005	<u>41</u>	DISCOVERY STIPULATION re witnesses by parties* (sl) (Entered: 03/15/2005)
03/23/2005	<u>42</u>	ORDER by Magistrate Judge Leslie C. Smith Telephonic Status conference set for 4/7/05 @ 10:00 am (cc: all counsel*) (jrm) (Entered: 03/23/2005)
03/29/2005	<u>43</u>	DISCOVERY & CONFIDENTIALITY ORDER by Magistrate Judge Leslie C. Smith re [40-1] (cc: all counsel) (yc) (Entered: 03/29/2005)
04/04/2005	<u>44</u>	ORDER by Magistrate Judge Leslie C. Smith Telephonic Status conference set for 5/23/05 @ 11:30 am (cc: all counsel*) (jrm) (Entered: 04/04/2005)
04/04/2005	<u>46</u>	CLERK'S MINUTES: before Magistrate Judge Leslie C. Smith Status hearing held; parties request time to analyze financial records as further described herein Law Clerk: J. Fritsch (yc) (Entered: 04/07/2005)

04/05/2005	<u>45</u>	ORDER by District Judge Bruce D. Black granting deft's motion to stay proceedings pending settlement negotiations [10-1] (cc: all counsel) (jrm) (Entered: 04/05/2005)
04/12/2005	<u>47</u>	ORDER by District Judge Bruce D. Black , Case stayed as to pending discovery relating to settlement negotiations re [47-2] stayed through 6/7/05 except Rule 69 depositions & related requests; deft's settlement offer is not accepted by pltf & claimants by 6/7/05, the court will reschedule all discovery & mtns deadlines, trial date and all other matters necessary to bring this matter to a prompt resolution (cc: all counsel) (yc) Modified on 04/28/2005 (Entered: 04/12/2005)
06/28/2005	<u>48</u>	ORDER by Magistrate Judge Leslie C. Smith Telephonic Status conference set for 7/11/05 @ 10:30 am to set settlement conference (cc: all counsel*) (jrm) (Entered: 06/28/2005)
07/08/2005	<u>49</u>	ORDER by Magistrate Judge Leslie C. Smith Telephonic Status conference reset for 8/8/05 @ 10:00 am (cc: all counsel*) (jrm) (Entered: 07/08/2005)
08/08/2005	<u>50</u>	ORDER by Magistrate Judge Leslie C. Smith vacating Order staying discovery [47-1] Discovery cutoff 9/30/05 ; Motion Filing cutoff 11/15/05 (cc: all counsel*) (jrm) (Entered: 08/08/2005)
08/11/2005	<u>51</u>	NOTICE by pltf of unavailability of counsel between 8/26/05 & 9/9/05 (*) (jrm) (Entered: 08/11/2005)
09/19/2005	<u>52</u>	MEMORANDUM, OPINION, AND ORDER: by Magistrate Judge Leslie C. Smith granting/denying in part deft's motion for protective order re: striking/discovery as described herein [23-1] (cc: all counsel*) (jrm) (Entered: 09/20/2005)
09/26/2005	<u>53</u>	CLERK'S MINUTES: before Magistrate Judge Leslie C. Smith Discovery cutoff 11/15/05 ; Motion Filing cutoff 12/15/05 (*) (jrm) (Entered: 09/26/2005)
10/03/2005	<u>54</u>	CONFIDENTIALITY ORDER by Magistrate Judge Leslie C. Smith re [52-1] (cc: all counsel) (yc) (Entered: 10/03/2005)
10/06/2005	<u>55</u>	NOTICE of hearing before District Judge Black Pretrial conference set for 4/20/06 @ 1:30 pm ; Jury selection/ trial set for 5/1/06 @ 9:00 am, all in Albuquerque (cc: all counsel*) (jrm) (Entered: 10/07/2005)
10/19/2005	<u>56</u>	ORDER by Magistrate Judge Leslie C. Smith setting settlement conference for 11/2/05 at 8:30 am (cc: all counsel) * (vv) (Entered: 10/20/2005)
10/24/2005	<u>57</u>	CERTIFICATE of service of answers & responses by deft to counsel on 10/20/05 (jrm) (Entered: 10/25/2005)
10/27/2005	<u>58</u>	ORDER by Magistrate Judge Leslie C. Smith vacating the 11/2/05 settlement conference (cc: all counsel*) (jrm) (Entered: 10/28/2005)
10/31/2005	<u>59</u>	CERTIFICATE of service by defendant of 1st supplemental responses to 1st request for production to counsel on 10/28/05 (vv) (Entered: 10/31/2005)
11/07/2005	<u>60</u>	UNOPPOSED MOTION by pltf to extend time to brief dispositive mtns as described herein (jm) (Entered: 11/07/2005)

11/10/2005	61	ORDER by Magistrate Judge Leslie C. Smith granting pltf's unopposed motion to extend time to brief dispositive mtns as described herein; [60-1] Motion Filing due on 1/17/06 (cc: all counsel) (yc) (Entered: 11/10/2005)
11/25/2005	62	NOTICE by parties of discovery stipulation (vv) (Entered: 11/28/2005)
12/05/2005	63	MOTION by pltf for partial summary judgment (jrm) (Entered: 12/06/2005)
12/05/2005	64	MEMORANDUM by pltf in support of motion for partial summary judgment [63-1] (jrm) (Entered: 12/06/2005)
12/05/2005	65	AFFIDAVIT of Loretta Medina re: motion for partial summary judgment [63-1] (jrm) (Entered: 12/06/2005)
12/05/2005	66	AFFIDAVIT of Jeffrey Stuhlmann re: motion for partial summary judgment [63-1] (jrm) (Entered: 12/06/2005)
12/30/2005	67	UNOPPOSED MOTION by deft to extend time to file response to mtn for partial sum/jgm (*) (jrm) (Entered: 12/30/2005)
12/30/2005	68	CLERK'S MINUTES: before Magistrate Judge Leslie C. Smith Telephonic status conference held * (vv) (Entered: 12/30/2005)
01/03/2006	69	ORDER by Magistrate Judge Leslie C. Smith granting deft's unopposed motion to extend time to file response to mtn for partial sum/jgm until 1/13/06 & pltf shall reply by 1/25/06 to deft's response; [67-1] (cc: all counsel) (yc) (Entered: 01/03/2006)
01/13/2006	70	RESPONSE by deft to motion for partial summary judgment [63-1] (*) (jrm) (Entered: 01/13/2006)
01/25/2006	71	REPLY memo in support by pltf to response to motion for partial summary judgment [63-1] (jrm) (Entered: 01/26/2006)
01/26/2006	72	NOTICE by pltf of completion of briefing on mtn for partial sum/jgm [63-1] (jrm) (Entered: 01/26/2006)
03/27/2006	73	NOTICE of hearing before District Judge Black Jury selection/trial set for 5/1/06 @ 9:00 am in Albuquerque (cc: all counsel*) (jrm) (Entered: 03/27/2006)
04/13/2006	74	CONSENT (decree) JUDGMENT by District Judge Bruce D. Black as described herein (cc: all counsel) (sl) (Entered: 04/13/2006)
10/12/2006	75	CERTIFICATE of service of answers to 1st set of interrog(s) & 1st request for production by deft to counsel on 10/12/06 (*) "DOCUMENT FILED IN ERROR" (jrm) Modified on 11/15/2006 (Entered: 10/13/2006)

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