

CLOSED

**Electronic Case Filing System
District of Utah (Central)
CIVIL DOCKET FOR CASE #: 2:06-cv-00811-BSJ**

Equal Employment Opportunity Commission v. C.R. England
Assigned to: Judge Bruce S. Jenkins
Case in other court: Tenth, 09-04207
Tenth, 09-04217
Cause: 42:12101 Americans with Disabilities Act of 1990

Date Filed: 09/25/2006
Date Terminated: 09/17/2009
Jury Demand: Plaintiff
Nature of Suit: 446 Civil Rights:
Americans with Disabilities - Other
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Mary Jo O'Neill**
EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION (AZ)
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V.

Intervenor Plaintiff

Walter Watson

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V.

Defendant

C.R. England

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V.

Intervenor Defendant

C.R. England

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Scott A. Hagen
(See above for address)
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Date Filed	#	Docket Text
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09/25/2006	<u>1</u>	Case has been opened and assigned to Judge Bruce S. Jenkins. Plaintiff Equal Employment Opportunity Commission is directed to E-File the Complaint(found under Complaints and Other Initiating Documents) by the end of the business day. Filing Fee waived (USA) (rlr,) (Entered: 09/25/2006)
09/27/2006	<u>2</u>	COMPLAINT against C.R. England No Filing Fee, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Civil Cover Sheet) Assigned to Judge Bruce S. Jenkins (Sorenson, Stephen) (Entered: 09/27/2006)
09/27/2006	<u>3</u>	MOTION for Admission Pro Hac Vice of Sally C. Shanley (no registration fee required) filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Sorenson, Stephen) (Entered: 09/27/2006)
09/27/2006	<u>4</u>	MOTION for Admission Pro Hac Vice of Michelle G. Marshall (no registration fee required) filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Sorenson, Stephen) (Entered: 09/27/2006)
09/27/2006	<u>5</u>	MOTION for Admission Pro Hac Vice of Mary Jo O'Neill (no registration fee required) filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Sorenson, Stephen) (Entered: 09/27/2006)
09/29/2006	<u>6</u>	ORDER granting <u>3</u> Motion for Admission Pro Hac Vice of Sally C. Shanley for Equal Employment Opportunity Commission. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at http://www.utd.uscourts.gov</i> . Signed by Judge Bruce S. Jenkins on 9/28/06.(jwt,) Modified on 9/29/2006 (jwt,). (Entered: 09/29/2006)
09/29/2006	<u>7</u>	ORDER granting <u>4</u> Motion for Admission Pro Hac Vice of Michelle G. Marshall for Equal Employment Opportunity Commission. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at http://www.utd.uscourts.gov</i> . Signed by Judge Bruce S. Jenkins on 9/28/06.(jwt,) (Entered: 09/29/2006)
09/29/2006	<u>8</u>	ORDER granting <u>5</u> Motion for Admission Pro Hac Vice of Mary Jo O'Neill for Equal Employment Opportunity Commission. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at http://www.utd.uscourts.gov</i> . Signed by Judge Bruce S. Jenkins on 9/28/06.(jwt,) (Entered: 09/29/2006)
12/26/2006	<u>9</u>	**RESTRICTED DOCUMENT** SUMMONS Returned Executed by Equal Employment Opportunity Commission as to C.R. England served on 12/13/2006, answer due 1/2/2007. (Marshall, Michelle) (Entered: 12/26/2006)
01/02/2007	<u>10</u>	NOTICE of Appearance by Scott A. Hagen on behalf of C.R. England (Hagen, Scott) (Entered: 01/02/2007)
01/02/2007	<u>11</u>	ANSWER to Complaint filed by C.R. England.(Hagen, Scott) (Entered: 01/02/2007)
01/08/2007	<u>12</u>	NOTICE OF HEARING:Initial Status and Scheduling Conference set for 2/20/2007 01:10 PM in Room 420 before Judge Bruce S. Jenkins, 350 South Main Street, Salt Lake City, Utah. The court advises counsel and parties appearing pro se that not less than fourteen (14) days prior to the initial conference they should meet with each other and prepare a proposed plan of discovery and case preparation pursuant to Rule 26(f)(1), (2), (3), and (4) of the Federal Rules of Civil Procedure. See also Fed. R. Civ. P. 16(b) &DUCivR 16-1(a)(1). A written report outlining the proposed plan, as agreed, shall be filed with the court no later than ten (10) days prior to the above-scheduled hearing date. Counsel (and parties appearing pro se) should also gather and examine existing documents relevant to the case which are in the possession and control of parties or their counsel and either produce them at their initial Rule 26(f) planning meeting or, as part of the proposed discovery plan, agree as to a specific date upon which such documents shall be produced. See Fed. R. Civ. P. 26(a).(kms) (Entered: 01/08/2007)

01/10/2007	<u>13</u>	NOTICE OF ADR, e-mailed or mailed to Plaintiff Equal Employment Opportunity Commission, Defendant C.R. England. (jwt) (Entered: 01/10/2007)
02/05/2007	<u>14</u>	REPORT OF ATTORNEY PLANNING MEETING. (Attachments: # <u>1</u> Text of Proposed Order)(Marshall, Michelle) (Entered: 02/05/2007)
02/20/2007	22	Minute Entry for proceedings held before Judge Bruce S. Jenkins : Initial Status Report &Scheduling Conference held on 2/20/2007. Attorney for Plaintiff: Michelle G. Marshall (via Phone), Sally C. Shanley (via Phone), Attorney for Defendant Scott A. Hagen. Court Reporter: Dawn Brunner-Hahn.(Time Start: 1:11 PM, Time End: 1:16 PM, Room 420.) (mrw) (Entered: 03/14/2007)
02/20/2007	<u>24</u>	Modification of Docket: Error: nonapproved ME. Correction: approved ME. re 22 Initial Status Report &Scheduling Conference., Discussion heard. Crt schedules:-- All discovery (fact &expert) cutoff 7/30/2007.-- Post-discovery motion(s) filed nlt 8/31/2007.-- Final pretrial conference 11/16/2007, at 1:30 PM.-- Stip proposed final pretrial order due to chambers 11/14/2007.Ms. Marshall to prepare &submit scheduling order within 7 days. (mrw) (Entered: 03/16/2007)
02/21/2007	<u>15</u>	MOTION to Intervene filed by Movant/Plaintiff in Intervention Walter Watson.. (ce) (Entered: 02/22/2007)
02/21/2007	<u>16</u>	MEMORANDUM in Support re <u>15</u> MOTION to Intervene filed by Movant/Plaintiff in Intervention Walter Watson. (ce) (Entered: 02/22/2007)
02/21/2007	<u>17</u>	Remark - PROPOSED Complaint in Intervention submitted by Walter Watson, proposed plaintiff in intervention. (ce) (Entered: 02/22/2007)
02/26/2007	18	NOTICE OF HEARING ON MOTION re: <u>15</u> MOTION to Intervene : Motion Hearing set for 3/21/2007 01:30 PM in Room 420 before Judge Bruce S. Jenkins. (kms) (Entered: 02/26/2007)
03/06/2007	<u>19</u>	SCHEDULING ORDER:Amended Pleadings due: plaintiff by 3/30/07, defendant by 4/27/2007. Joinder of Parties due: plaintiff by 3/30/07, defendant by 4/27/2007. Fact and Expert Discovery due by 7/30/2007. Dispositive and potentially dispositive motions due by 8/31/2007. Final Pretrial Conference set for 11/16/2007 01:30 PM in Room 420 before Judge Bruce S. Jenkins. Proposed Pretrial Order due by 11/14/2007. Signed by Judge Bruce S. Jenkins on 3/06/07. (jwt) (Entered: 03/06/2007)
03/07/2007	<u>20</u>	Stipulated MOTION for Protective Order filed by Plaintiff Equal Employment Opportunity Commission, Defendant C.R. England. (Attachments: # <u>1</u> Text of Proposed Order)(Marshall, Michelle) (Entered: 03/07/2007)
03/12/2007	<u>21</u>	ORDER granting <u>20</u> Motion for Protective Order. Signed by Judge Bruce S. Jenkins on 3/12/07. (jwt) (Entered: 03/12/2007)
03/15/2007	<u>23</u>	STIPULATION re <u>15</u> MOTION to Intervene by Walter Watson. (Monahan, Russell) (Entered: 03/15/2007)
03/16/2007	<u>25</u>	ORDER granting <u>15</u> Motion to Intervene. Signed by Judge Bruce S. Jenkins on 3/16/07. (jwt) (Entered: 03/16/2007)
03/22/2007	<u>26</u>	Intervenor COMPLAINT against C.R. England, filed by Walter Watson.(rlr) (Entered: 03/22/2007)
03/26/2007	<u>27</u>	ANSWER to Intervenor Complaint filed by C.R. England.(Hagen, Scott) (Entered: 03/26/2007)
07/31/2007	<u>28</u>	Joint MOTION for Extension of Time Scheduling Dates filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Attachments: # <u>1</u> Text of Proposed Order)(Hagen, Scott) (Entered: 07/31/2007)
08/07/2007	<u>29</u>	ORDER granting <u>28</u> Motion for Extension of Time. Signed by Judge Bruce S. Jenkins on 8/07/07. (jwt) (Entered: 08/07/2007)
08/07/2007	30	Set/Reset Scheduling Order Deadlines: Fact and Expert Discovery due by 10/30/2007. Dispositive Motions due by 11/30/2007. Final Pretrial Conference set for 2/22/2008 09:30 AM in Room 420 before Judge Bruce S. Jenkins. Proposed Pretrial Order due by 2/14/2008. (jwt) (Entered: 08/07/2007)

09/28/2007	<u>31</u>	MOTION Leave to Finish Plaintiff's Deposition filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Hagen, Scott) (Entered: 09/28/2007)
09/28/2007	<u>32</u>	MEMORANDUM in Support re <u>31</u> MOTION Leave to Finish Plaintiff's Deposition filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Attachments: # <u>1</u> Exhibit A)(Hagen, Scott) (Entered: 09/28/2007)
10/01/2007	33	<u>NOTICE OF HEARING ON MOTION</u> re: <u>31</u> MOTION Leave to Finish Plaintiff's Deposition : Motion Hearing set for 11/1/2007 01:20 PM in Room 420 before Judge Bruce S. Jenkins. (kms) (Entered: 10/01/2007)
10/09/2007	<u>34</u>	Plaintiff's MOTION for Extension of Time to Complete Discovery filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Walter Watson. (Attachments: # <u>1</u> Text of Proposed Order)(Marshall, Michelle) (Entered: 10/09/2007)
10/12/2007	<u>35</u>	Plaintiff's MEMORANDUM in Opposition re <u>31</u> MOTION Leave to Finish Plaintiff's Deposition filed by Intervenor Plaintiff Walter Watson. (Monahan, Russell) (Entered: 10/12/2007)
10/12/2007	<u>36</u>	RESPONSE to Motion re <u>31</u> MOTION Leave to Finish Plaintiff's Deposition filed by Plaintiff Equal Employment Opportunity Commission. (Marshall, Michelle) (Entered: 10/12/2007)
10/23/2007	37	<u>NOTICE OF HEARING ON MOTION</u> re: <u>34</u> Plaintiff's MOTION for Extension of Time to Complete Discovery : Motion Hearing set for 11/1/2007 01:20 PM in Room 420 before Judge Bruce S. Jenkins. (kms) (Entered: 10/23/2007)
10/23/2007	<u>38</u>	REPLY to Response to Motion re <u>31</u> MOTION Leave to Finish Plaintiff's Deposition filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Hagen, Scott) (Entered: 10/23/2007)
10/25/2007	<u>39</u>	Joint MOTION to Seal <i>Plaintiff's Deposition</i> filed by Intervenor Plaintiff Walter Watson. (Attachments: # <u>1</u> Text of Proposed Order Order to Seal Deposition of Plaintiff)(Monahan, Russell) (Entered: 10/25/2007)
10/25/2007	<u>40</u>	RESPONSE to Motion re <u>34</u> Plaintiff's MOTION for Extension of Time to Complete Discovery filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Hagen, Scott) (Entered: 10/25/2007)
10/30/2007	<u>41</u>	ORDER granting <u>39</u> Motion to Seal Deposition. Signed by Judge Bruce S. Jenkins on 10/30/07. (blk) (Entered: 10/31/2007)
11/01/2007	42	**SEALED DOCUMENT** Exhibit re <u>38</u> Reply Memorandum/Reply to Response to Motion filed by Defendant C.R. England. (blk) Modified on 11/1/2007 – document oversized and not attached (blk). (Entered: 11/01/2007)
11/01/2007	<u>43</u>	Minute Entryfor proceedings held before Judge Bruce S. Jenkins: Motion Hearing held on 11/1/2007 re <u>34</u> Plaintiff's MOTION for Extension of Time to Complete Discovery filed by Walter Watson, Equal Employment Opportunity Commission. After discussion the Court GRANTS the motion for extension of time to complete discovery. The out of pocket expense will be paid by the plaintiff. The Court sets the following dates: All discovery (expert) cutoff November 15, 2007. Post-discovery motions filed no later than February 15, 2008. Final pretrial conference set April 4, 2008 at 9:30 a.m. Stipulated proposed final pre trial order to chambers on April 10, 2008 by noon. Attorney for Plaintiff: Michelle G. Marshall, via phone, Attorney for Defendant Russell T. Monahan; Scott A. Hagen. Court Reporter: Ashley Davis.(Time Start: 1:20, Time End: 1:40, Room 420.) (kpf) (Entered: 11/14/2007)
11/14/2007	<u>44</u>	ORDER granting <u>31</u> Motion to Finish Plaintiff's Deposition; granting <u>34</u> Motion for Extension of Time to Complete Discovery. Signed by Judge Bruce S. Jenkins on 11/14/07. (blk) (Entered: 11/14/2007)
12/06/2007	<u>45</u>	CERTIFICATE OF SERVICE regarding discovery (blk) Modified on 12/6/2007 document was filed by Plaintiff Intervenor Walter Watson (blk). (Entered: 12/06/2007)

12/10/2007	<u>46</u>	CERTIFICATE OF SERVICE by Walter Watson, Intervenor Plaintiff re: Rule 26(e) Supplementation of Disclosures and Responses Upon Scott Hagen. (ce) (Entered: 12/11/2007)
12/12/2007	<u>47</u>	**RESTRICTED DOCUMENT** RETURN OF SERVICE Executed for Subpoena served on Cynthia Horsley on 12/04/2007, filed by Intervenor Plaintiff Walter Watson. (Monahan, Russell) (Entered: 12/12/2007)
01/31/2008	<u>48</u>	CERTIFICATE OF SERVICE by Walter Watson <i>Rule 26(e) Supplementation</i> (Monahan, Russell) (Entered: 01/31/2008)
02/04/2008	<u>49</u>	MOTION for Extension of Time Dispositive Motion and Pretrial Deadlines filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Shanley, Sally) (Entered: 02/04/2008)
02/07/2008	<u>50</u>	ORDER granting <u>49</u> Motion for Extension of Time re: Dispositive Motions and Pretrial Deadlines. Signed by Judge Bruce S. Jenkins on 2/6/08. (blk) (Entered: 02/07/2008)
02/07/2008	<u>51</u>	Set/Reset Hearings: Pretrial Conference set for 6/12/2008 01:30 PM in Room 420 before Judge Bruce S. Jenkins. Motions due by 3/26/2008. Stipulated Pretrial Order due by 6/10/2008. (blk) (Entered: 02/07/2008)
02/29/2008	<u>52</u>	Plaintiff's MOTION for Admission Pro Hac Vice of Valerie L. Meyer (no registration fee required) filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Application for Admission Pro Hac Vice, # <u>2</u> Text of Proposed Order for Pro Hac Vice Admission)(Sorenson, Stephen) (Entered: 02/29/2008)
03/04/2008	<u>53</u>	ORDER granting <u>52</u> Motion for Admission Pro Hac Vice of Valerie L. Meyer for Equal Employment Opportunity Commission. <i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at http://www.utd.uscourts.gov</i> . Signed by Judge Bruce S. Jenkins on 3/3/08. (blk) (Entered: 03/04/2008)
03/18/2008	<u>54</u>	NOTICE of Substitution of Counsel by Equal Employment Opportunity Commission (Meyer, Valerie) (Entered: 03/18/2008)
03/25/2008	<u>55</u>	Joint MOTION for Extension of Time Dispositive Motion Deadline filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Attachments: # <u>1</u> Text of Proposed Order)(Hagen, Scott) (Entered: 03/25/2008)
03/26/2008	<u>56</u>	ORDER granting <u>55</u> Motion for Extension of Time for filing dispositive motions. Deadline for filing dispositive motions is now 3/31/08. Signed by Judge Bruce S. Jenkins on 3/26/08. (blk) (Entered: 03/26/2008)
03/27/2008	<u>57</u>	Defendant's MOTION for Leave to File Overlength Memorandum in Support of Motion for Summary Judgment against Plaintiff-Intervenor Walter Watson filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Attachments: # <u>1</u> Text of Proposed Order)(Hagen, Scott) (Entered: 03/27/2008)
03/28/2008	<u>58</u>	ORDER granting <u>57</u> Motion for Leave to File. Signed by Judge Bruce S. Jenkins on 3/28/08. (blk) (Entered: 03/28/2008)
03/31/2008	<u>59</u>	Defendant's MOTION for Summary Judgment <i>Against Plaintiff-Intervenor Walter Watson</i> filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Hagen, Scott) (Entered: 03/31/2008)
03/31/2008	<u>61</u>	Defendant's MOTION for Summary Judgment <i>Against Plaintiff Equal Employment Opportunity Commission</i> filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Hagen, Scott) (Entered: 03/31/2008)
03/31/2008	<u>63</u>	**SEALED** Supplemental MEMORANDUM in Support re <u>59</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff-Intervenor Walter Watson</i> filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Hagen, Scott) Modified on 4/2/2008 by sealing this document per direction of chambers (ce). (Entered: 03/31/2008)

03/31/2008	<u>64</u>	**SEALED** Supplemental MEMORANDUM in Support re <u>61</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff Equal Employment Opportunity Commission</i> filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Hagen, Scott) Modified on 4/2/2008 by sealing this document per chambers direction (ce). (Entered: 03/31/2008)
03/31/2008	<u>65</u>	MOTION for Partial Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission. (Meyer, Valerie) (Entered: 03/31/2008)
03/31/2008	<u>66</u>	Plaintiff's MEMORANDUM in Support re <u>65</u> MOTION for Partial Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit (Not Sealed))(Meyer, Valerie) (Entered: 03/31/2008)
03/31/2008	<u>67</u>	NOTICE OF FILING of Documents Under Seal re <u>65</u> MOTION for Partial Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission. (Meyer, Valerie) (Entered: 03/31/2008)
04/01/2008	<u>68</u>	**SEALED DOCUMENT** Statement of Undisputed Facts re <u>65</u> MOTION for Partial Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit – List of Exhibits, # <u>2</u> Exhibit 2 – Deposition of Walter Watson, # <u>3</u> Exhibit 5 – Deposition of Walter Watson, # <u>4</u> Exhibit 11 – Declaration of Walter Watson)(blk) (Entered: 04/01/2008)
04/01/2008	<u>69</u>	**SEALED DOCUMENT** Supplemental Memorandum in Support re <u>59</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff–Intervenor Walter Watson</i> filed by Defendant C.R. England. (blk) (Entered: 04/01/2008)
04/02/2008	70	DOCKET TEXT ORDER – the following documents were originally filed UNSEALED on 3/31/08. They have now been sealed per direction of chambers. <u>63</u> **SEALED** Supplemental Memorandum in Support of Motion re <u>59</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff–Intervenor Walter Watson</i> filed by Defendant/Intervenor Defendant C.R. England. <u>64</u> SEALED**Supplemental MEMORANDUM in Support re <u>61</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff Equal Employment Opportunity Commission</i> filed by Defendant/Intervenor Defendant C.R. England. Signed by Judge Bruce S. Jenkins on 4/2/08. NOTE: There is no document/image attached to this entry.(ce) (Entered: 04/02/2008)
04/03/2008	<u>71</u>	Stipulated MOTION to Seal re 62 Memorandum in Support of Motion,, 60 Memorandum in Support of Motion,, filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Attachments: # <u>1</u> Text of Proposed Order)(Hagen, Scott) (Entered: 04/03/2008)
04/07/2008	<u>72</u>	ORDER granting <u>71</u> Motion to Seal Defendant CR England's Memo in Support of Motion for Summary Judgment against Plaintiff EEOC, document 62 including all related exhibits; and Defendant CR England's Memo in Support of Motion for Summary Judgment against Plaintiff–Intervenor Walter Watson, document 60 including all related exhibits. Signed by Judge Bruce S. Jenkins on 4/7/08. (ce) (Entered: 04/07/2008)
05/02/2008	<u>73</u>	Stipulated MOTION for Extension of Time to File Response/Reply as to <u>59</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff–Intervenor Walter Watson</i> , <u>65</u> MOTION for Partial Summary Judgment, <u>61</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff Equal Employment Opportunity Commission</i> filed by Plaintiff Equal Employment Opportunity Commission, Intervenor Plaintiff Walter Watson, Defendant C.R. England, Intervenor Defendant C.R. England. (Attachments: # <u>1</u> Text of Proposed Order)(Meyer, Valerie) (Entered: 05/02/2008)
05/05/2008	<u>74</u>	ORDER granting <u>73</u> Motion for Extension of Time to File Response/Reply re <u>61</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff Equal Employment Opportunity Commission</i> , <u>65</u> MOTION for Partial Summary Judgment, <u>59</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff–Intervenor Walter Watson</i> . Replies due by 5/19/2008. Signed by Judge Bruce S. Jenkins on 5/2/08. (blk) (Entered: 05/05/2008)

05/14/2008	<u>75</u>	ORDER – Vacating the Final Pretrial Conference set for 6/12/08 and setting hearing as to <u>61</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff Equal Employment Opportunity Commission</i> , <u>65</u> MOTION for Partial Summary Judgment, <u>59</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff–Intervenor Walter Watson</i> . Summary Judgment Motions Hearing set for 6/24/2008 09:30 AM in Room 420 before Judge Bruce S. Jenkins. Signed by Judge Bruce S. Jenkins on 5/13/08. (blk) (Entered: 05/14/2008)
05/14/2008		Deadlines/Hearings terminated – Final Pretrial Conference set for 6/12/08 is VACATED. (blk) (Entered: 05/14/2008)
05/19/2008	<u>76</u>	NOTICE OF CONVENTIONAL FILING of Defendant's Memorandum in Opposition to Plaintiff EEOC's Motion for Partial Summary Judgment filed by Defendant C.R. England, Intervenor Defendant C.R. England (Hagen, Scott) (Entered: 05/19/2008)
05/19/2008	<u>77</u>	NOTICE OF CONVENTIONAL FILING of Plaintiff in Intervention's Memorandum in Opposition to Defendant England's Motion for Summary Judgment filed by Intervenor Plaintiff Walter Watson re <u>59</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff–Intervenor Walter Watson</i> (Monahan, Russell) (Entered: 05/19/2008)
05/19/2008	<u>78</u>	Plaintiff's MEMORANDUM in Opposition re <u>61</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff Equal Employment Opportunity Commission</i> filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 20, 25, 27, 30–33)(Meyer, Valerie) (Entered: 05/19/2008)
05/19/2008	<u>79</u>	NOTICE OF CONVENTIONAL FILING of Plaintiff EEOC's Supplemental Memoranda: Sealed Statement of Facts in Opposition to Defendant's Motion for Summary Judgment and Sealed Disputation of Defendant's Facts in Support of Its Motion for Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission re <u>78</u> Memorandum in Opposition to Motion, (Meyer, Valerie) (Entered: 05/19/2008)
05/19/2008	80	**SEALED DOCUMENT** Supplemental Memorandum/Disputation and Statement of Facts in Opposition re <u>61</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff Equal Employment Opportunity Commission</i> filed by Plaintiff Equal Employment Opportunity Commission. (blk) Modified on 5/20/2008 – Oversized document not attached as an image – retained in sealed room (blk). (Entered: 05/20/2008)
05/19/2008	81	**SEALED DOCUMENT** Memorandum in Opposition re <u>59</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff–Intervenor Walter Watson</i> filed by Intervenor Plaintiff Walter Watson. (blk) Modified on 5/20/2008 – Oversized document not attached as an image – retained in sealed room (blk). (Entered: 05/20/2008)
05/19/2008	82	**SEALED DOCUMENT** Memorandum in Opposition re <u>65</u> MOTION for Partial Summary Judgment filed by Defendant C.R. England. NOTE: Oversized document not attached as an image – retained in sealed room. (blk) (Entered: 05/20/2008)
05/20/2008	83	AMENDED NOTICE OF HEARING ON MOTIONS re: MOTIONS for Summary Judgment: Motion Hearing set for 6/30/2008 at 02:15 PM in Room 420 before Judge Bruce S. Jenkins. (kms) (Entered: 05/20/2008)
06/02/2008	<u>84</u>	Joint MOTION for Extension of Time to File Response/Reply filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Attachments: # <u>1</u> Text of Proposed Order)(Hagen, Scott) (Entered: 06/02/2008)
06/05/2008	<u>85</u>	ORDER granting <u>84</u> Motion for Extension of Time to File Response/Reply re <u>61</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff Equal Employment Opportunity Commission</i> , <u>65</u> MOTION for Partial Summary Judgment, <u>59</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff–Intervenor Walter Watson</i> . Replies due by 6/13/2008. Signed by Judge Bruce S. Jenkins on 6/5/08. (blk) (Entered: 06/05/2008)

06/16/2008	<u>86</u>	NOTICE OF CONVENTIONAL FILING of EEOC's Reply in Support of its Motion for Partial Summary Judgment Against Defendant filed by Plaintiff Equal Employment Opportunity Commission re <u>65</u> MOTION for Partial Summary Judgment (Meyer, Valerie) (Entered: 06/16/2008)
06/16/2008	<u>87</u>	MOTION for Leave to File Excess Pages <i>in Reply Memorandum in Support of Motion for Summary Judgment Against Plaintiff Equal Employment Opportunity Commission</i> filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Attachments: # <u>1</u> Text of Proposed Order)(Hagen, Scott) (Entered: 06/16/2008)
06/16/2008	<u>88</u>	MOTION for Leave to File Excess Pages <i>in Reply Memorandum in Support of Motion for Summary Judgment Against Plaintiff–Intervenor Walter Watson</i> filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Attachments: # <u>1</u> Text of Proposed Order)(Hagen, Scott) (Entered: 06/16/2008)
06/16/2008	<u>89</u>	NOTICE OF CONVENTIONAL FILING of Defendant's Reply Memorandum in Support of Motion for Summary Judgment Against Plaintiff Equal Employment Opportunity Commission filed by Defendant C.R. England, Intervenor Defendant C.R. England re <u>64</u> Memorandum in Support of Motion, (Hagen, Scott) (Entered: 06/16/2008)
06/16/2008	<u>90</u>	NOTICE OF CONVENTIONAL FILING of Defendant's Reply Memorandum in Support of Motion for Summary Judgment Against Plaintiff–Intervenor Walter Watson filed by Defendant C.R. England, Intervenor Defendant C.R. England re <u>63</u> Memorandum in Support of Motion, (Hagen, Scott) (Entered: 06/16/2008)
06/16/2008	<u>94</u>	**SEALED DOCUMENT** REPLY IN SUPPORT re <u>65</u> MOTION for Partial Summary Judgment filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 34 Supplemental Authority)(blk) (Entered: 06/17/2008)
06/16/2008	97	**SEALED DOCUMENT** REPLY MEMORANDUM IN SUPPORT re <u>59</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff–Intervenor Walter Watson</i> filed by Defendant C.R. England. No document attached – oversized and not scanned. (blk) (Entered: 06/17/2008)
06/16/2008	98	**SEALED DOCUMENT** REPLY MEMORANDUM IN SUPPORT re <u>61</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff Equal Employment Opportunity Commission</i> filed by Defendant C.R. England. No document attached – oversized and not scanned. (blk) (Entered: 06/17/2008)
06/17/2008	<u>91</u>	RESPONSE to Motion re <u>87</u> MOTION for Leave to File Excess Pages <i>in Reply Memorandum in Support of Motion for Summary Judgment Against Plaintiff Equal Employment Opportunity Commission</i> filed by Plaintiff Equal Employment Opportunity Commission. (Meyer, Valerie) (Entered: 06/17/2008)
06/17/2008	<u>92</u>	Plaintiff's MOTION to Strike <i>Defendant's Reply Memorandum</i> filed by Intervenor Plaintiff Walter Watson. (Monahan, Russell) (Entered: 06/17/2008)
06/17/2008	<u>93</u>	MEMORANDUM in Support re <u>92</u> Plaintiff's MOTION to Strike <i>Defendant's Reply Memorandum</i> filed by Intervenor Plaintiff Walter Watson. (Monahan, Russell) (Entered: 06/17/2008)
06/17/2008	<u>95</u>	ORDER granting <u>87</u> Motion for Leave to File Excess Pages. Signed by Judge Bruce S. Jenkins on 6/17/08. (blk) (Entered: 06/17/2008)
06/17/2008	<u>96</u>	ORDER granting <u>88</u> Motion for Leave to File Excess Pages. Signed by Judge Bruce S. Jenkins on 6/17/08. (blk) (Entered: 06/17/2008)
06/30/2008	<u>99</u>	Minute Entry for proceedings held before Judge Bruce S. Jenkins: Motion Hearing held on 6/30/2008. Argument & discussion heard. Crt recesses 3:10 PM, reconvenes 3:20 PM. Dft cnsl to supplement record within two weeks. Crt rules:– Reserves (takes under advisement), motion for summary judgment. re <u>61</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff Equal Employment Opportunity Commission</i> filed by C.R. England. Attorney for Plaintiff: Valerie L. Meyer, Russell T. Monahan (Intvp), Attorney for Defendant Scott A. Hagen, Jonathan Pappasideris. Court Reporter: Laura Robinson.(Time Start: 2:15 PM, Time End: 5:20 PM, Room 420.) (mrw) (Entered: 07/09/2008)

07/14/2008	<u>100</u>	Supplemental Memorandum in Support of Defendant C. R. England's Motions for Summary Judgment BRIEF filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibits to Hayes Decl., # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D)(Hagen, Scott) (Entered: 07/14/2008)
07/28/2008	<u>101</u>	RESPONSE to Motion re <u>59</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff-Intervenor Walter Watson</i> , <u>61</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff Equal Employment Opportunity Commission Supplemental Response</i> filed by Intervenor Plaintiff Walter Watson. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Monahan, Russell) Modified on 2/18/2010 – Exhibit 1 from the paper document was removed on 2/18/2010 and placed in the sealed box for 2/18/2010(ce). (Entered: 07/28/2008)
08/11/2008	<u>102</u>	REPLY BRIEF re <u>100</u> Brief, <i>Reply to Watson's Response to the Supplemental Memorandum in Support of Defendant C. R. England's Motion for Summary Judgment</i> filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Attachments: # <u>1</u> Exhibit A Scott) (Entered: 08/11/2008)
09/17/2009	<u>103</u>	**SEALED DOCUMENT** MEMORANDUM OPINION & ORDER RE: CROSS-MOTIONS FOR SUMMARY JUDGMENT(Fed.R.Civ.P.56)–re <u>59</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff-Intervenor Walter Watson</i> , <u>65</u> MOTION for Partial Summary Judgment, <u>92</u> Plaintiff's MOTION to Strike <i>Defendant's Reply Memorandum</i> , <u>61</u> Defendant's MOTION for Summary Judgment <i>Against Plaintiff Equal Employment Opportunity Commission</i> . (jmr) (Entered: 09/17/2009)
09/17/2009	<u>106</u>	CLERK'S JUDGMENT–IT IS ORDERED AND ADJUDGED That judgment be entered in favor of the defendant and both plaintiff's and intervenor plaintiff's causes of action are dismissed signed by Louise S. York. Case Closed. (jmr) (Entered: 09/17/2009)
10/07/2009	<u>107</u>	BILL OF COSTS filed by C.R. England. (Hagen, Scott) (Entered: 10/07/2009)
10/07/2009	<u>108</u>	AFFIDAVIT of Scott A. Hagen in Support re <u>107</u> Bill of Costs filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Hagen, Scott) (Entered: 10/07/2009)
10/07/2009	<u>109</u>	Memorandum of <i>Bill of Costs</i> filed by Defendant C.R. England, Intervenor Defendant C.R. England. (Hagen, Scott) (Entered: 10/07/2009)
10/07/2009	<u>110</u>	**SEALED DOCUMENT** SEALED and REDACTED BILL OF COSTS filed by Defendant C.R. England. Document will be retained in the sealed room. (jmr) (Entered: 10/13/2009)
10/07/2009	<u>111</u>	**SEALED DOCUMENT** SEALED AND REDACTED VERIFICATION OF BILL OF COSTS filed by Defendant C.R. England. (jmr) (Entered: 10/13/2009)
10/07/2009	<u>112</u>	**SEALED DOCUMENT** SEALED AND REDACTED MEMORANDUM OF COSTS filed by Defendant C.R. England. (jmr) (Entered: 10/13/2009)
10/29/2009	<u>113</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 6/30/2008 before Judge Bruce S. Jenkins. Court Reporter/Transcriber Laura Robinson, Telephone number 801–328–4800. NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy and forms are located on the court's website at www.utd.uscourts.gov. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/19/2009. Redacted Transcript Deadline set for 11/30/2009. Release of Transcript Restriction set for 1/27/2010. (ce) Modified on 10/29/2009 to reflect the

		hearing date of 6/30/2008 rather than 2009 (ce). Modified by removing restricted text on 1/27/2010 (rak). (Entered: 10/29/2009)
10/29/2009	<u>114</u>	Modification of Docket: re <u>113</u> TRANSCRIPT of Proceedings held on 6/30/2008 before Judge Bruce S. Jenkins. ERROR – this hearing was held 6/30/2008, however the transcript reflects 6/30/2009. CORRECTION – the docket text was modified to reflect the correct hearing date. (ce) (Entered: 10/29/2009)
11/12/2009	<u>116</u>	NOTICE OF APPEAL as to <u>106</u> Clerk's Judgment filed by Equal Employment Opportunity Commission. Appeals to the USCA for the 10th Circuit. No Filing Fee. (Meyer, Valerie) (Entered: 11/12/2009)
11/12/2009	<u>117</u>	Transmission of Preliminary Record to USCA re <u>116</u> Notice of Appeal. (Attachments: # <u>1</u> Notice of Appeal, # <u>2</u> Judgment, # <u>3</u> Docket)(jmr) (Entered: 11/12/2009)
11/12/2009	<u>118</u>	TRANSCRIPT REQUEST by Equal Employment Opportunity Commission for proceedings held on 6/30/2008 before Judge Jenkins, re <u>116</u> Notice of Appeal (Meyer, Valerie) (Entered: 11/12/2009)
11/13/2009	<u>119</u>	USCA Case Number Case Appealed to Tenth Case Number 09–4207 for <u>116</u> Notice of Appeal filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Reminder)(jmr) (Entered: 11/13/2009)
11/17/2009	<u>120</u>	Please be advised the Record is complete for purposes of appeal for USCA case number 09–4207 re <u>116</u> Notice of Appeal. (jmr) (Entered: 11/17/2009)
11/24/2009	<u>121</u>	NOTICE OF APPEAL filed by Walter Watson. Appeals to the USCA for the 10th Circuit. Filing fee \$ 455, receipt number 10880000000001009128. (Monahan, Russell) (Entered: 11/24/2009)
11/24/2009	<u>122</u>	Transmission of Preliminary Record to USCA re <u>121</u> Notice of Appeal. (Attachments: # <u>1</u> Judgment, # <u>2</u> Notice of Appeal, # <u>3</u> Docket)(jmr) (Entered: 11/24/2009)
11/25/2009	<u>123</u>	USCA Case Number Case Appealed to Tenth Case Number 09–4217 for <u>121</u> Notice of Appeal filed by Walter Watson. (Attachments: # <u>1</u> Reminder)(jmr) (Entered: 11/30/2009)
12/15/2009	<u>124</u>	Costs Taxed in amount of \$ 5,614.81 for defendant against Plaintiff signed by Louise S. York 12/15/09. (jmr) (Entered: 12/15/2009)
12/18/2009	<u>125</u>	Stipulated MOTION to Stay <i>Execution of Costs Pending Appeal</i> filed by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Text of Proposed Order)(Meyer, Valerie) (Entered: 12/18/2009)
12/22/2009	<u>126</u>	ORDER granting Stipulated <u>125</u> Motion to Stay Execution of Costs Pending Appeal filed by Plaintiff Equal Employment Opportunity Commission. Signed by Judge Bruce S. Jenkins on 12/22/09. (jmr) (Entered: 12/22/2009)
01/26/2010	<u>127</u>	Please be advised the Record is complete for purposes of appeal for USCA case number 09–4217 re <u>121</u> Notice of Appeal.(Per Notice from the Tenth Circuit. The transcript order form for this appeal was never filed at this court). (jmr) (Entered: 01/26/2010)
02/25/2010	<u>129</u>	MOTION Substitute Redacted Exhibit filed by Intervenor Plaintiff Walter Watson. (Attachments: # <u>1</u> Exhibit Redacted Exhibit 1, # <u>2</u> Text of Proposed Order)(Monahan, Russell) (Entered: 02/25/2010)
03/09/2010	<u>130</u>	ORDER–granting <u>129</u> Motion Substitute Redacted Exhibit filed by Intervenor Plaintiff Walter Watson. Signed by Judge Bruce S. Jenkins on 3/9/10. (jmr) (Entered: 03/09/2010)
06/27/2011	<u>131</u>	MANDATE of USCA (09–4207)(09–4217) as to <u>116</u> Notice of Appeal filed by Equal Employment Opportunity Commission, <u>121</u> Notice of Appeal filed by Walter Watson. According to the USCA the Judgment of the USDC for the Dist of UT is Affirmed. Judgment included with mandate: Yes. (Attachments: # <u>1</u> Judgment, # <u>2</u> Mandate Cover Letter)(las) (Entered: 06/27/2011)

06/28/2011	<u>132</u>	MOTION to Stay <i>Taxation of Costs and Vacate Order</i> filed by Intervenor Defendant C.R. England, Defendant C.R. England. (Hagen, Scott) (Entered: 06/28/2011)
06/28/2011	<u>133</u>	MEMORANDUM in Support re <u>132</u> MOTION to Stay <i>Taxation of Costs and Vacate Order</i> filed by Intervenor Defendant C.R. England, Defendant C.R. England. (Attachments: # <u>1</u> Exhibit Taxation of Costs, # <u>2</u> Exhibit 12/22/09 Order, # <u>3</u> Text of Proposed Order)(Hagen, Scott) (Entered: 06/28/2011)
06/29/2011	<u>134</u>	ORDER GRANTING MOTION TO VACATE ORDER AND LIFT STAY OF TAXATION OF COSTS– re <u>126</u> Order on Motion to Stay, <u>132</u> MOTION to Stay <i>Taxation of Costs and Vacate Order</i> filed by C.R. England, Motions terminated: <u>132</u> MOTION to Stay <i>Taxation of Costs and Vacate Order</i> filed by C.R. England. Signed by Judge Bruce S. Jenkins on 6/29/11. (jmr) (Entered: 06/29/2011)