

APPEAL, CLOSED, REFER

**U.S. District Court**  
**District of New Mexico - Version 3.0 (Albuquerque)**  
**CIVIL DOCKET FOR CASE #: 1:02-cv-01644-JB-RHS**

EEOC v. BCI Coca-Cola, et al  
Assigned to: District Judge James O. Browning  
Referred to: Magistrate Judge Robert Hayes Scott  
Demand: \$0  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 12/30/2002  
Date Terminated: 04/11/2008  
Jury Demand: Both  
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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*TERMINATED: 02/15/2008*  
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V.

**Defendant**

**BCI Coca-Cola Bottling Company of  
Los Angeles**  
*doing business as*  
Phoenix Coca-Cola Bottling Company

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### Defendant

**Coca-Cola Bottling Company of  
 Albuquerque**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
12/30/2002	<a href="#">1</a>	COMPLAINT for civil rights w/jury demand (0 Summons(es) issued) (referred to Magistrate Judge Lorenzo F. Garcia) (ed) (Entered: 12/31/2002)
02/25/2003		SUMMONS issued as to Corporation Service Company (mlk) (Entered: 02/27/2003)
03/17/2003	2	RETURN OF SERVICE of s/c executed upon Corporation Service Company on 2/27/03 (mlk) (Entered: 03/19/2003)
03/19/2003	<a href="#">3</a>	ANSWER by defendant BCI Coca-Cola [1-1]; jury demand (mlk) (Entered: 03/20/2003)
03/24/2003	<a href="#">4</a>	MINUTE ORDER: Case referred from Chief Magistrate Judge Lorenzo F. Garcia to Magistrate Judge Robert H. Scott (cc: all counsel*) (sl) (Entered: 03/24/2003)
03/24/2003	<a href="#">5</a>	ENTRY OF APPEARANCE for defendant BCI Coca-Cola by Christopher M. Moody, E. Todd Presnell & Kara E. Shea (mlk) (Entered: 03/26/2003)
04/11/2003	<a href="#">6</a>	OPPOSED MOTION by plaintiff to strike affirmative defenses (sl) (Entered: 04/14/2003)
04/11/2003	<a href="#">7</a>	MEMORANDUM by plaintiff in support of motion to strike affirmative defenses [6-1] (sl) (Entered: 04/14/2003)
04/25/2003	<a href="#">8</a>	NOTICE by defendants of disclosure statement * (sl) (Entered: 04/25/2003)

04/25/2003	<a href="#">9</a>	RESPONSE by defendants to pltf's motion to strike affirmative defenses [6-1]* (sl) (Entered: 04/25/2003)
04/30/2003	<a href="#">10</a>	INITIAL SCHEDULING ORDER by Magistrate Judge Robert H. Scott Rule 16 scheduling conference set for 6/30/03 at 2:00 pm; provisional discovery plan and IPTR due on 6/23/03 (cc: all counsel*) (sl) (Entered: 04/30/2003)
05/05/2003	<a href="#">11</a>	MOTION by deft BCI Coca-Cola to dismiss claims for lack of subject matter jurisdiction (seal) (Entered: 05/05/2003)
05/05/2003	<a href="#">12</a>	MEMORANDUM by deft BCI Coca-Cola in support of mtn to dismiss claims for lack of subject matter jurisdiction [11-1] (seal) (Entered: 05/05/2003)
05/12/2003	<a href="#">13</a>	REPLY by plaintiff to defts response to motion to strike affirmative defenses [6-1] (sl) (Entered: 05/13/2003)
05/16/2003	<a href="#">14</a>	NOTICE by plaintiff of completion of briefing on motion to strike deft's affirmative defenses (sl) (Entered: 05/16/2003)
05/28/2003	<a href="#">15</a>	RESPONSE by plaintiff to motion to dismiss claims for lack of subject matter jurisdiction [11-1] (sl) (Entered: 05/29/2003)
06/05/2003	<a href="#">16</a>	NOTICE by defendant BCI Coca-Cola of completion of briefing on motion to dismiss claims due to lack of subject matter jurisdiction * (sl) (Entered: 06/05/2003)
06/19/2003	<a href="#">17</a>	CERTIFICATE of service by plaintiff of initial disclosures to counsel on 6/19/03 * (sl) (Entered: 06/19/2003)
06/23/2003	<a href="#">18</a>	PROVISIONAL DISCOVERY PLAN by parties (sl) (Entered: 06/23/2003)
06/30/2003	<a href="#">19</a>	ORDER by Magistrate Judge Robert H. Scott re initial scheduling conference held on 6/30/03 Discovery cutoff 12/1/03 (cc: all counsel*) (sl) (Entered: 06/30/2003)
06/30/2003	<a href="#">20</a>	ORDER by Magistrate Judge Robert H. Scott setting settlement conference for 8/12/03 at 9:00 am in Albuquerque, NM (cc: all counsel*) (sl) (Entered: 06/30/2003)
06/30/2003	<a href="#">21</a>	CLERK'S MINUTES: before Magistrate Judge Robert H. Scott ; Rule 16 scheduling conference held (sl) (Entered: 07/01/2003)
07/03/2003	<a href="#">22</a>	INITIAL PRE-TRIAL REPORT by District Judge C. LeRoy Hansen and Magistrate Judge Robert H. Scott ; Discovery set for 12/1/03 ;mtn filing ddl set for 1/19/04 ; proposed pretrial order due 4/5/04 ; Estimated # of Trial Days: 4-5; Chances of Settlement: fair (cc: all counsel) (sl) Modified on 08/05/2003 (Entered: 07/03/2003)
08/01/2003	<a href="#">23</a>	ORDER by Magistrate Judge Robert H. Scott vacating and resetting settlement conference for 9/18/03 at 9:00 am (cc: all counsel*) (sl) (Entered: 08/01/2003)
08/12/2003	<a href="#">24</a>	MINUTE ORDER: Case reassigned from Senior Judge C. LeRoy Hansen to District Judge James O. Browning (cc: all counsel*) (sl) (Entered: 08/12/2003)
08/12/2003	<a href="#">25</a>	AMENDED MINUTE ORDER: Case reassigned to District Judge James O. Browning (cc: all counsel*) (sl) (Entered: 08/12/2003)

08/12/2003	<a href="#">26</a>	ORDER by Magistrate Judge Robert H. Scott resetting settlement conference for 9/24/03 at 9:00 am in Albuquerque, NM (cc: all counsel*) (sl) (Entered: 08/12/2003)
08/15/2003	<a href="#">27</a>	NOTICE of hearing before Judge James O. Browning on motion to dismiss claims for lack of subject matter jurisdiction [11-1] and motion to strike affirmative defenses [6-1] at 1:30 pm on 9/16/03 in Albuquerque, NM (cc: all counsel*) (sl) (Entered: 08/18/2003)
08/19/2003	<a href="#">28</a>	MEMORANDUM, OPINION, AND ORDER: by District Judge James O. Browning granting deft's motion to dismiss claims for lack of subject matter jurisdiction [11-1] dismissing claims contained in paragraph 7(a) of the complaint (cc: all counsel*) (sl) (Entered: 08/19/2003)
08/22/2003	<a href="#">29</a>	NOTICE of hearing Pretrial conference set for 4/26/04 at 9:00 am; Jury trial set for 5/3/04 at 9:00 am, both before Judge Browning in Albuquerque, NM (cc: all counsel*) (vv) (Entered: 08/22/2003)
08/22/2003	<a href="#">30</a>	MINUTE ORDER that discovery matters should be referred to District Judge James Browning, the settlement conference remains scheduled before Magistrate Judge Scott on 9-24-03 (cc: all counsel*) (jrm) (Entered: 08/22/2003)
08/22/2003	<a href="#">31</a>	CERTIFICATE of service by plaintiff of response to deft's first set of interrogatories to counsel on 8/22/03* (sl) (Entered: 08/25/2003)
08/22/2003	<a href="#">32</a>	CERTIFICATE of service by plaintiff of answers to deft's first set of request for production of documents to counsel on 8/22/03 (sl) (Entered: 08/25/2003)
08/28/2003	<a href="#">33</a>	MEMORANDUM, OPINION, AND ORDER: by District Judge James O. Browning granting pltf's motion to strike affirmative defenses [6-1] (cc: all counsel*) (sl) (Entered: 08/29/2003)
08/29/2003	<a href="#">34</a>	MINUTE ORDER: by Judge James Browning vacating motion hearing set for 9/16/03 because motions decided (cc: all counsel*) (sl) Modified on 09/03/2003 (Entered: 08/29/2003)
08/29/2003	<a href="#">35</a>	MOTION by plaintiff to clarification of Court's memorandum, opinion and order entered on 8/19/03 * (sl) (Entered: 08/29/2003)
09/04/2003	<a href="#">36</a>	RESPONSE by defendant BCI Coca-Cola to pltf's motion to clarification of Court's Memorandum, Opinion and Order entered on 8/19/03 [35-1]* (sl) Modified on 09/09/2003 (Entered: 09/04/2003)
09/16/2003	<a href="#">37</a>	ORDER by Magistrate Judge Robert H. Scott vacating and resetting settlement conference for 11/7/03 at 10:00 am (cc: all counsel*) (sl) (Entered: 09/16/2003)
09/18/2003	<a href="#">38</a>	NOTICE of hearing before Judge James Browning on motion for clarification of Court's Memorandum, Opinion and Order entered on 8/19/03 [35-1] at 9:00 am on 10/2/03 in Albuquerque, NM (cc: all counsel*) (sl) Modified on 09/24/2003 (Entered: 09/18/2003)
09/18/2003	<a href="#">39</a>	REPLY by plaintiff to deft's response to motion to clarification of Court's Memorandum, Opinion and Order entered on 8/19/03 [35-1] (sl) Modified on 09/24/2003 (Entered: 09/18/2003)

09/25/2003	<a href="#">40</a>	CERTIFICATE of Service by pltf of answers to 1st set of production of documents to counsel on 8/22/03* (pr) (Entered: 09/25/2003)
09/29/2003	<a href="#">41</a>	CERTIFICATE of service by plaintiff of second request for production of documents to defts and counsel on 9/29/03* (sl) (Entered: 09/30/2003)
10/01/2003	<a href="#">42</a>	MEMORANDUM, OPINION, AND ORDER: by District Judge James O. Browning denying pltf's motion to clarification of Court's memorandum, opinion and order entered on 8/19/03 [35-1] (cc: all counsel*) (sl) (Entered: 10/01/2003)
10/16/2003	<a href="#">43</a>	CERTIFICATE of service by plaintiff of first request for production of documents to counsel on 9/25/03* (sl) (Entered: 10/16/2003)
10/16/2003	<a href="#">44</a>	CERTIFICATE of service by plaintiff EEOC of first set of non-uniform interrogatories to counsel on 9/25/03* (sl) (Entered: 10/16/2003)
10/17/2003	<a href="#">45</a>	CLERK'S MINUTES: before District Judge James O. Browning telephonic conference held on discovery matters (sl) (Entered: 10/22/2003)
11/07/2003	<a href="#">46</a>	SETTLEMENT CONFERENCE held before Magistrate Judge Robert Scott (sl) (Entered: 11/10/2003)
11/21/2003	<a href="#">47</a>	CERTIFICATE of service by plaintiff of first supplemental initial disclosures to counsel on 11/20/03* (sl) (Entered: 11/21/2003)
12/09/2003	<a href="#">48</a>	MOTION by plaintiff to extend time to file motions until 12/18/03 * (sl) (Entered: 12/09/2003)
12/10/2003	<a href="#">49</a>	CERTIFICATE of service by plaintiff of third request for production of documents to counsel on 10/8/03* (sl) (Entered: 12/10/2003)
12/17/2003	50	ORDER by District Judge James O. Browning granting pltf's motion to extend time to file motions until 12/18/03 [48-1] (cc: all counsel) (sl) (Entered: 12/17/2003)
12/18/2003	<a href="#">51</a>	MOTION by plaintiff to extend time to file motions to compel discovery answers until 12/31/03 * (sl) (Entered: 12/18/2003)
12/29/2003	<a href="#">52</a>	NOTICE by plaintiff of withdrawal of motion for extension of time to file motions to compel [51-1]* (sl) (Entered: 12/29/2003)
12/29/2003	<a href="#">53</a>	MOTION by plaintiff to extend time to file motions to compel discovery responses * (sl) (Entered: 12/29/2003)
12/29/2003	<a href="#">54</a>	CERTIFICATE of service by plaintiff of fourth request for production of documents to counsel on 12/29/03 * (sl) (Entered: 12/29/2003)
12/30/2003	<a href="#">55</a>	ORDER by District Judge James O. Browning granting pltf's motion to extend time to file motions to compel discovery [53-1] until 12/31/03 (cc: all counsel) (sl) (Entered: 12/30/2003)
12/31/2003	<a href="#">56</a>	CERTIFICATE of service by plaintiff EEOC of first request for admissions to counsel on 12/31/03 * (sl) (Entered: 12/31/2003)
01/07/2004	<a href="#">57</a>	AMENDED INITIAL PRE-TRIAL REPORT District Judge James O. Browning and Magistrate Judge Robert H. Scott ; Discovery set for 1/31/04 ;mtn filing ddl set for 2/6/04 (cc: all counsel) (sl) (Entered: 01/07/2004)

01/26/2004	<a href="#">58</a>	CERTIFICATE of service by plaintiff of second supplemental initial disclosures to counsel on 1/26/04* (sl) (Entered: 01/26/2004)
02/05/2004	<a href="#">59</a>	MEMORANDUM by plaintiff in support of the production of Jeff Katt's statement (sl) (Entered: 02/05/2004)
02/05/2004	<a href="#">60</a>	MEMORANDUM by defendant Coca-Cola Bottling in opposition to production of statement of Jeff Katt (sl) (Entered: 02/05/2004)
02/06/2004	<a href="#">61</a>	MOTION by defendant Coca-Cola Bottling to extend discovery and pretrial motion deadlines (sl) (Entered: 02/09/2004)
02/10/2004	<a href="#">62</a>	ORDER by District Judge James O. Browning granting deft's motion to extend discovery and pretrial motion deadlines [61-1] Discovery cutoff 2/13/04 ; Motion Filing cutoff 2/20/04 (cc: all counsel) (sl) (Entered: 02/10/2004)
02/10/2004	<a href="#">63</a>	ORDER by Magistrate Judge Robert H. Scott granting pltf's memorandum for the production of Jeff Katt's statement [59-1] (cc: all counsel*) (sl) (Entered: 02/10/2004)
02/10/2004	<a href="#">64</a>	NOTICE by defendant Coca-Cola Bottling of filing of certificates of service (sl) (Entered: 02/11/2004)
02/19/2004	<a href="#">65</a>	MOTION by defendant Coca-Cola Bottling for summary judgment (sl) (Entered: 02/19/2004)
02/19/2004	66	MEMORANDUM by defendant Coca-Cola Bottling in support of motion for summary judgment [65-1] (sl) (Entered: 02/19/2004)
03/02/2004	<a href="#">67</a>	MOTION to vacate trial setting of 4/26/04 by parties (sl) (Entered: 03/02/2004)
03/02/2004	<a href="#">68</a>	MOTION by plaintiff to extend time to respond to deft's motion for summary judgment until 3/17/04 * (sl) (Entered: 03/02/2004)
03/08/2004	<a href="#">69</a>	ORDER by District Judge James O. Browning granting pltf's motion to extend time to respond to deft's motion for summary judgment until 3/17/04 [68-1] (cc: all counsel) (sl) (Entered: 03/08/2004)
03/11/2004	<a href="#">70</a>	NOTICE of hearing before Judge James Browning on motion for summary judgment [65-1] at 1:30 pm on 4/9/04 in Albuquerque, NM (cc: all counsel*) (sl) (Entered: 03/11/2004)
03/12/2004	<a href="#">71</a>	ORDER by District Judge James O. Browning granting parties motion to vacate trial setting of 4/26/04 [67-1] ; Pretrial conference reset for 5/25/04 at 9:00 am ; Jury trial reset for 6/7/04 at 9:00 am (cc: all counsel) (sl) (Entered: 03/12/2004)
03/17/2004	<a href="#">72</a>	MOTION by plaintiff to exceed page limitation for response and exhibits in its opposition to deft's motion for summary judgment * (sl) (Entered: 03/18/2004)
03/17/2004	<a href="#">73</a>	RESPONSE by plaintiff to deft's motion for summary judgment [65-1] * (sl) (Entered: 03/18/2004)
03/19/2004	<a href="#">74</a>	APPENDIX filed by plaintiff re response [73-1] (sl) Modified on 03/22/2004 (Entered: 03/19/2004)

03/19/2004	<a href="#">75</a>	ORDER by District Judge James O. Browning granting pltf's motion to exceed page limitation for response and exhibits in its opposition to deft's motion for summary judgment [72-1] all counsel) (sl) (Entered: 03/19/2004)
03/23/2004	<a href="#">76</a>	OPPOSED MOTION by plaintiff to exceed page limitation for exhibits in its opposition to deft's motion for summary judgment * (sl) (Entered: 03/23/2004)
03/31/2004	<a href="#">77</a>	REPLY by defendant BCI Coca-Cola to response to motion for summary judgment [65-1] (sl) (Entered: 04/01/2004)
03/31/2004	<a href="#">78</a>	NOTICE by defendant BCI Coca-Cola of completion of briefing on motion for summary judgment and memorandum in support thereof (sl) (Entered: 04/01/2004)
04/05/2004	<a href="#">79</a>	MINUTE ORDER: resetting hearing on motion for summary judgment [65-1] @ 1:30 p.m., on 4/7/04 before Judge Browning in Albuquerque (cc: all counsel*) (pr) (Entered: 04/06/2004)
04/14/2004	<a href="#">80</a>	CLERK'S MINUTES: before District Judge James O. Browning hearing held on deft's motion for summary judgment [65-1] C/R: Danna Everett (sl) (Entered: 04/14/2004)
06/10/2004	<a href="#">81</a>	MEMORANDUM, OPINION, AND ORDER: by District Judge James O. Browning granting deft BCI'a motion for summary judgment [65-1] dismissing with prejudice deft Coca-Cola Bottling Company of Los Angeles (BCI) (cc: all counsel*) (sl) Modified on 06/14/2004 (Entered: 06/14/2004)
06/30/2004	<a href="#">82</a>	FINAL JUDGMENT: by District Judge James O. Browning dismissing case (cc: all counsel*) (sl) (Entered: 06/30/2004)
07/09/2004		TRANSCRIPT OF PROCEEDINGS of motion hearing before District Judge James O. Browning held on 04/07/04; (re [80-1] ) lodged in separate file folder (pg) (Entered: 07/12/2004)
07/14/2004	<a href="#">83</a>	MOTION by defendant Coca-Cola Bottling to tax costs in the amount of \$11,741.20 (sl) (Entered: 07/15/2004)
07/28/2004	<a href="#">84</a>	RESPONSE by plaintiff to motion to tax costs in the amount of \$11,741.20 [83-1]* (sl) (Entered: 07/28/2004)
07/29/2004	<a href="#">85</a>	APPENDIX filed by plaintiff re response to motion to tax costs [84-1] (sl) (Entered: 07/29/2004)
08/05/2004	<a href="#">86</a>	ERRATA by plaintiff to response to motion to tax costs [84-1] (sl) (Entered: 08/05/2004)
08/27/2004	<a href="#">87</a>	NOTICE OF APPEAL by pltf from Dist. Court decision [82-2] and [81-1]; Fees not necessary - Distribution as required. (cc: all counsel) (mjr) (Entered: 08/27/2004)
08/27/2004		LETTER to USCA re; transmitting PROA on 8/27/04 (mjr) (Entered: 08/27/2004)
09/03/2004		ACKNOWLEDGEMENT of receipt of preliminary record by USCA on 09/03/04 - USCA Number: 04-2220 (pg) (Entered: 09/03/2004)



09/08/2004	<a href="#">88</a>	ORDER by the Clerk of Court re motion [83-1] settling costs, costs are taxed against pltf in the amount of \$3,800.20 (cc: all counsel)* (sl) (Entered: 09/08/2004)
09/13/2004	<a href="#">89</a>	MOTION by plaintiff for stay of further proceedings on Clerk's Order Settling Costs pending Appeal * (pr) (Entered: 09/13/2004)
09/24/2004	<a href="#">90</a>	RESPONSE by defendant to motion for stay of further proceedings on Clerk's Order Settling Costs pending Appeal [89-1] * (sl) (Entered: 09/24/2004)
09/27/2004	<a href="#">91</a>	TRANSCRIPT Order Form (TOF) from Appellant. Transcript is already on file re [87-1] (pg) (Entered: 09/29/2004)
09/29/2004		LETTER sent to USCA record complete transcript of proceedings on file [87-1] (pg) (Entered: 09/29/2004)
10/12/2004	<a href="#">92</a>	REPLY by plaintiff to response to motion for stay of further proceedings on Clerk's Order Settling Costs pending Appeal [89-1] * (sl) (Entered: 10/13/2004)
08/02/2006	<a href="#">93</a>	CERTIFIED Copy of judgment from USCA reversing and remanding the Decision of the District Court [Appeal [87-1] (case re-opened 08/02/06 cc: KS) (pg) Modified on 08/03/2006 (Entered: 08/03/2006)
08/02/2006	<a href="#">94</a>	COPY of USCA Order: Statement of Costs are taxed in favor of appellant \$562.25 (pg) (Entered: 08/03/2006)
09/30/2006	<a href="#">95</a>	ORDER by District Judge James O. Browning granting pltf's mtn for stay of further proceedings on Clerk's Order Settling Costs pending Appeal [89-1] (cc: all counsel)* (jm) (Entered: 10/02/2006)
02/13/2007	<a href="#">96</a>	LETTER re Petition for Writ of Certiorari was granted (pg) (Entered: 03/12/2007)
03/07/2007	<a href="#">97</a>	LETTER transmitting original case file in four volumes to the U.S. Supreme Court (pg) (Entered: 03/08/2007)
06/27/2007	<a href="#">99</a>	NOTICE by Equal Employment Opportunity Commission of <i>Unavailability</i> 7/30/07-8/10/07 (Molina, Veronica) Modified re: add dates on 6/28/2007 (jm). (Entered: 06/27/2007)
07/11/2007	100	NOTICE of Status Conference scheduled on 7/20/2007 at 11:00 AM in Albuquerque - 460 Vermejo Courtroom before District Judge James O. Browning. THIS IS A TEXT ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED. (ks) (Entered: 07/11/2007)
07/25/2007	<a href="#">101</a>	Clerk's Minutes from Status Conference held 7/20/2007 before District Judge James O. Browning (Tape #FTR-Vermejo). (ks) (Entered: 07/25/2007)
10/15/2007	<a href="#">102</a>	Joint MOTION to Extend (other) <i>Discovery and Motions Deadlines and to Vacate the Motions Hearing and Pre-Trial Conference</i> by BCI Coca-Cola Bottling Company of Los Angeles, Coca-Cola Bottling Company of Albuquerque. (Moody, Christopher) (Entered: 10/15/2007)
11/27/2007	<a href="#">103</a>	FILED IN ERROR - ACKNOWLEDGEMENT OF SERVICE Executed <i>Subpoena to depose James Young</i> Acknowledgement filed by Coca-Cola Bottling Company of Albuquerque. (Moody, Christopher) Modified on 11/28/2007 (JM).

		(Entered: 11/27/2007)
11/27/2007	<a href="#">104</a>	FILED IN ERROR - ACKNOWLEDGEMENT OF SERVICE Executed <i>Subpoena to depose Michael Wilson</i> Acknowledgement filed by Coca-Cola Bottling Company of Albuquerque. (Moody, Christopher) Modified on 11/28/2007 (JM). (Entered: 11/27/2007)
11/27/2007	<a href="#">105</a>	FILED IN ERROR - ACKNOWLEDGEMENT OF SERVICE Executed <i>Subpoena to depose Bryan Esquibel</i> Acknowledgement filed by Coca-Cola Bottling Company of Albuquerque. (Moody, Christopher) Modified on 11/28/2007 (JM). (Entered: 11/27/2007)
11/28/2007	<a href="#">106</a>	NOTICE OF DEFICIENCY sent to Attorney Christopher Moody re <a href="#">104</a> Acknowledgment of Service, <a href="#">105</a> Acknowledgment of Service, <a href="#">103</a> Acknowledgment of Service (jm) (Entered: 11/28/2007)
11/28/2007	<a href="#">107</a>	MOTION to Quash <i>Subpoena and/or Motion For Protective Order And Request For Expedited Ruling</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> # <a href="#">2</a> )(Molina, Veronica) (Entered: 11/28/2007)
12/04/2007	<a href="#">108</a>	NOTICE by Equal Employment Opportunity Commission of <i>Non-Appearance at Deposition (Esquibel)</i> (Molina, Veronica) (Entered: 12/04/2007)
12/04/2007	<a href="#">109</a>	NOTICE by Equal Employment Opportunity Commission of <i>Non-Appearance at Deposition (Wilson)</i> (Molina, Veronica) (Entered: 12/04/2007)
12/04/2007	<a href="#">110</a>	NOTICE by Equal Employment Opportunity Commission of <i>Non-Appearance at Deposition (Young)</i> (Molina, Veronica) (Entered: 12/04/2007)
12/04/2007	<a href="#">111</a>	ORDER by Judge W. Daniel Schneider Settlement Conference set for 12/11/2007 09:00 AM in Albuquerque - 720 Judge W. Daniel Schneider Chambers before Magistrate Judge W. Daniel Schneider. (mm) (Entered: 12/04/2007)
12/04/2007	<a href="#">112</a>	RESPONSE in Opposition re <a href="#">107</a> MOTION to Quash <i>Subpoena and/or Motion For Protective Order And Request For Expedited Ruling</i> filed by BCI Coca-Cola Bottling Company of Los Angeles. (Stanford, Repps) (Entered: 12/04/2007)
12/06/2007	<a href="#">113</a>	ORDER vacating the Settlement conference set for 12/11/2007 by Judge W. Daniel Schneider (mm) (Entered: 12/06/2007)
12/07/2007	<a href="#">114</a>	SCHEDULING ORDER by Judge James O. Browning. (ks) (Entered: 12/07/2007)
12/07/2007	<a href="#">115</a>	ORDER by District Judge James O. Browning granting the Joint Motion to Extend Discovery and Motions Deadlines and to Vacate the Motions Hearing and Pre-trial Conference <a href="#">102</a> . (ks) (Entered: 12/07/2007)
12/07/2007	116	MINUTE ORDER, pursuant to the direction of District Judge James O. Browning, rescheduling the motion hearing on 12/19/2008 to 2/1/2008 at 01:30 PM; rescheduling the Pretrial Conference on 12/28/2007 to 2/21/2008 at 09:00 AM; vacating the Jury Selection/Jury Trial scheduled on the Court's trailing docket commencing 1/14/2008 and rescheduling on the Court's trailing docket commencing 3/10/2008 at 09:00 AM. The Plaintiff shall provide the Pretrial Order to the Defendant by 2/13/2008 and the Defendant shall provide the Pretrial Order to the Court by 2/20/2008. All events will take place in Albuquerque - 460

		Vermejo Courtroom before District Judge James O. Browning. THIS IS A TEXT ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED. (ks) (Entered: 12/07/2007)
12/11/2007	<a href="#">117</a>	REPLY to Response to Motion re <a href="#">107</a> MOTION to Quash <i>Subpoena and/or Motion For Protective Order And Request For Expedited Ruling</i> filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit 1# <a href="#">2</a> Exhibit 2# <a href="#">3</a> Exhibit 3)(Molina, Veronica) (Entered: 12/11/2007)
12/12/2007	<a href="#">118</a>	NOTICE of Briefing Complete by Equal Employment Opportunity Commission re <a href="#">107</a> MOTION to Quash <i>Subpoena and/or Motion For Protective Order And Request For Expedited Ruling</i> filed by Equal Employment Opportunity Commission (Molina, Veronica) (Entered: 12/12/2007)
12/12/2007	<a href="#">119</a>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of <i>Plaintiff's Fifth Supplemental Initial Disclosure</i> (Molina, Veronica) (Entered: 12/12/2007)
12/19/2007	<a href="#">120</a>	NOTICE by Equal Employment Opportunity Commission of <i>Unavailability 12/24/07-1/4/08</i> (Molina, Veronica) Modified re: add dates on 12/21/2007 (JM). (Entered: 12/19/2007)
12/28/2007	<a href="#">121</a>	MOTION in Limine to <i>Exclude All Evidence Concerning Claimant's Familial Circumstances</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit A)(Molina, Veronica) (Entered: 12/28/2007)
12/28/2007	<a href="#">122</a>	Opposed MOTION in Limine to <i>Exclude Evidence Concerning Claimant's Familial Circumstances</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> # <a href="#">2</a> )(Molina, Veronica) (Entered: 12/28/2007)
12/28/2007	<a href="#">123</a>	Opposed MOTION in Limine to <i>Exclude Evidence Concerning Claimant Taken Into Custody for Loitering</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> )(Molina, Veronica) (Entered: 12/28/2007)
12/28/2007	<a href="#">124</a>	Opposed MOTION in Limine to <i>Exclude All Evidence Concerning Claimant Not Seeking Professional Counseling</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> )(Molina, Veronica) (Entered: 12/28/2007)
12/28/2007	<a href="#">125</a>	Opposed MOTION in Limine to <i>Exclude Evidence of Collateral Source Income</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> )(Molina, Veronica) (Entered: 12/28/2007)
12/28/2007	<a href="#">126</a>	Monthly MOTION in Limine to <i>Exclude All Evidence Concerning Claimant's Prior Discipline</i> by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> )(Molina, Veronica) (Entered: 12/28/2007)
12/28/2007	<a href="#">127</a>	MOTION in Limine by BCI Coca-Cola Bottling Company of Los Angeles. (Stanford, Repps) (Entered: 12/28/2007)
12/28/2007	<a href="#">128</a>	MOTION in Limine by BCI Coca-Cola Bottling Company of Los Angeles. (Stanford, Repps) (Entered: 12/28/2007)
01/02/2008	<a href="#">129</a>	ORDER SETTING SETTLEMENT CONFERENCE by Judge Robert Hayes Scott. Status Report (confidential settlement letter) due by 1/28/2008. Settlement Conference set for 2/4/2008 09:00 AM in Albuquerque - 620 Judge Robert H.

		Scott Chambers before Magistrate Judge Robert Hayes Scott. (ce) (Entered: 01/02/2008)
01/10/2008	<a href="#">130</a>	First MOTION for Sanctions <i>Defendant's Motion to Exclude Certain Witnesses From Testifying at Trial</i> by Coca-Cola Bottling Company of Albuquerque. (Moody, Christopher) (Entered: 01/10/2008)
01/10/2008	<a href="#">131</a>	MEMORANDUM in Support re <a href="#">130</a> First MOTION for Sanctions <i>Defendant's Motion to Exclude Certain Witnesses From Testifying at Trial Brief In Support of Defendant's Motion to Exclude Witnesses From Testifying at Trial</i> filed by Coca-Cola Bottling Company of Albuquerque. (Moody, Christopher) (Entered: 01/10/2008)
01/11/2008	<a href="#">132</a>	RESPONSE in Opposition re <a href="#">124</a> Opposed MOTION in Limine <i>to Exclude All Evidence Concerning Claimant Not Seeking Professional Counseling Defendant's Response in Opposition to Plaintiff's Motion in Limine to Exclude Evidence Concerning Claimant Not Seeking Professional Counseling</i> filed by Coca-Cola Bottling Company of Albuquerque. (Moody, Christopher) (Entered: 01/11/2008)
01/14/2008	<a href="#">133</a>	RESPONSE to Motion re <a href="#">122</a> Opposed MOTION in Limine <i>to Exclude Evidence Concerning Claimant's Familial Circumstances Defendant's Response to Plaintiff's Motion in Limine to Exclude Evidence Concerning Claimant's Familial Circumstances</i> filed by BCI Coca-Cola Bottling Company of Los Angeles, Coca-Cola Bottling Company of Albuquerque. (Moody, Christopher) (Entered: 01/14/2008)
01/14/2008	<a href="#">134</a>	MOTION to Bifurcate <i>Trial</i> by BCI Coca-Cola Bottling Company of Los Angeles, Coca-Cola Bottling Company of Albuquerque. (Moody, Christopher) (Entered: 01/14/2008)
01/14/2008	<a href="#">135</a>	BRIEF re <a href="#">134</a> MOTION to Bifurcate <i>Trial</i> by BCI Coca-Cola Bottling Company of Los Angeles, Coca-Cola Bottling Company of Albuquerque (Moody, Christopher) (Entered: 01/14/2008)
01/14/2008	<a href="#">136</a>	RESPONSE in Opposition re <a href="#">126</a> Monthly MOTION in Limine <i>to Exclude All Evidence Concerning Claimant's Prior Discipline</i> filed by BCI Coca-Cola Bottling Company of Los Angeles, Coca-Cola Bottling Company of Albuquerque. (Moody, Christopher) (Entered: 01/14/2008)
01/14/2008	<a href="#">137</a>	RESPONSE to Motion re <a href="#">125</a> Opposed MOTION in Limine <i>to Exclude Evidence of Collateral Source Income</i> filed by BCI Coca-Cola Bottling Company of Los Angeles, Coca-Cola Bottling Company of Albuquerque. (Moody, Christopher) (Entered: 01/14/2008)
01/14/2008	<a href="#">138</a>	RESPONSE to Motion re <a href="#">123</a> Opposed MOTION in Limine <i>to Exclude Evidence Concerning Claimant Taken Into Custody for Loitering</i> filed by BCI Coca-Cola Bottling Company of Los Angeles, Coca-Cola Bottling Company of Albuquerque. (Moody, Christopher) (Entered: 01/14/2008)
01/14/2008	<a href="#">139</a>	RESPONSE in Opposition re <a href="#">128</a> MOTION in Limine <i>by Defendant to Exclude Evidence of Mr. Peter's Then Undisclosed Explanation For His 1999 Insubordination</i> filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Exhibit C# <a href="#">4</a> Exhibit D# <a href="#">5</a> Exhibit E# <a href="#">6</a> Exhibit F)(Molina, Veronica) (Entered: 01/14/2008)

01/14/2008	<a href="#">140</a>	RESPONSE in Opposition re <a href="#">127</a> MOTION in Limine to Exclude Evidence of Stray Remarks and Unsupported Conclusions of Racial Animus filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B)(Molina, Veronica) (Entered: 01/14/2008)
01/15/2008	<a href="#">141</a>	MEMORANDUM in Support re <a href="#">134</a> MOTION to Bifurcate Trial filed by BCI Coca-Cola Bottling Company of Los Angeles, Coca-Cola Bottling Company of Albuquerque. (Moody, Christopher) (Entered: 01/15/2008)
01/28/2008	142	MINUTE ORDER, pursuant to the direction of District Judge James O. Browning, vacating the motion hearing scheduled on 2/1/2008 and rescheduling on 2/14/2008 at 01:30 PM. THIS IS A TEXT ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED. (ks) (Entered: 01/28/2008)
01/28/2008	<a href="#">143</a>	Plaintiff's REPLY to Defendant's Response re <a href="#">124</a> Opposed MOTION in Limine to Exclude All Evidence Concerning Claimant Not Seeking Professional Counseling, <a href="#">132</a> Response in Opposition to Motion, filed by Equal Employment Opportunity Commission. (Molina, Veronica) (Entered: 01/28/2008)
01/28/2008	<a href="#">144</a>	RESPONSE in Opposition re <a href="#">130</a> First MOTION for Sanctions Defendant's Motion to Exclude Certain Witnesses From Testifying at Trial filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit 1# <a href="#">2</a> Exhibit 2# <a href="#">3</a> Exhibit 3# <a href="#">4</a> Exhibit 4# <a href="#">5</a> Exhibit 5)(Molina, Veronica) (Entered: 01/28/2008)
01/29/2008	<a href="#">145</a>	NOTICE of Briefing Complete by Equal Employment Opportunity Commission re <a href="#">124</a> Opposed MOTION in Limine to Exclude All Evidence Concerning Claimant Not Seeking Professional Counseling filed by Equal Employment Opportunity Commission (Molina, Veronica) (Entered: 01/29/2008)
01/29/2008	<a href="#">146</a>	NOTICE of Briefing Complete by Equal Employment Opportunity Commission re <a href="#">122</a> Opposed MOTION in Limine to Exclude Evidence Concerning Claimant's Familial Circumstances filed by Equal Employment Opportunity Commission (Molina, Veronica) (Entered: 01/29/2008)
01/29/2008	<a href="#">147</a>	NOTICE of Briefing Complete by Equal Employment Opportunity Commission re <a href="#">123</a> Opposed MOTION in Limine to Exclude Evidence Concerning Claimant Taken Into Custody for Loitering filed by Equal Employment Opportunity Commission (Molina, Veronica) (Entered: 01/29/2008)
01/29/2008	<a href="#">148</a>	NOTICE of Briefing Complete by Equal Employment Opportunity Commission re <a href="#">125</a> Opposed MOTION in Limine to Exclude Evidence of Collateral Source Income filed by Equal Employment Opportunity Commission (Molina, Veronica) (Entered: 01/29/2008)
01/31/2008	<a href="#">149</a>	RESPONSE in Opposition re <a href="#">134</a> MOTION to Bifurcate Trial Plaintiff's filed by Equal Employment Opportunity Commission. (Molina, Veronica) (Entered: 01/31/2008)
01/31/2008	<a href="#">150</a>	REPLY to Response to Motion re <a href="#">126</a> Monthly MOTION in Limine to Exclude All Evidence Concerning Claimant's Prior Discipline filed by Equal Employment Opportunity Commission. (Attachments: # <a href="#">1</a> Exhibit 1# <a href="#">2</a> Exhibit 2# <a href="#">3</a> Exhibit 3)(Molina, Veronica) (Entered: 01/31/2008)

01/31/2008	<a href="#">151</a>	NOTICE of Briefing Complete by Equal Employment Opportunity Commission re <a href="#">126</a> Monthly MOTION in Limine to Exclude All Evidence Concerning Claimant's Prior Discipline filed by Equal Employment Opportunity Commission (Molina, Veronica) (Entered: 01/31/2008)
02/04/2008	152	Clerk's Minutes for proceedings held before Judge Robert Hayes Scott : Settlement Conference held on 2/4/2008. THIS IS A TEXT ONLY ENTRY. NO DOCUMENTS ARE ATTACHED. (ce) (Entered: 02/04/2008)
02/12/2008	<a href="#">153</a>	"FILED IN ERROR" ORDER by District Judge James O. Browning granting the Plaintiff's Motion in Limine to Exclude All Evidence Concerning Claimant Taken Into Custody for Loitering <a href="#">123</a> . (ks) Modified on 2/12/2008 (sl). (Entered: 02/12/2008)
02/12/2008	<a href="#">154</a>	ORDER by District Judge James O. Browning granting the Plaintiff's Motion in Limine to Exclude All Evidence Concerning Collateral Source Income <a href="#">125</a> . (ks) (Entered: 02/12/2008)
02/12/2008	<a href="#">155</a>	"FILED IN ERROR" ORDER by District Judge James O. Browning granting the Plaintiff's Motion in Limine to Exclude All Evidence Concerning Claimant Taken Into Custody for Loitering <a href="#">123</a> . (ks) Modified on 2/12/2008 (sl). (Entered: 02/12/2008)
02/12/2008	<a href="#">156</a>	ORDER by District Judge James O. Browning granting the Plaintiff's Motion in Limine to Exclude All Evidence Concerning Claimant's Familial Circumstances <a href="#">121</a> . (ks) (Entered: 02/12/2008)
02/12/2008	<a href="#">157</a>	ORDER by District Judge James O. Browning granting the Plaintiff's Motion in Limine to Exclude All Evidence Concerning Claimant Taken Into Custody for Loitering <a href="#">123</a> . (ks) (Entered: 02/12/2008)
02/14/2008	<a href="#">158</a>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning granting in part and denying in part Plaintiff's Motion to Quash Subpoena and/or Motion for Protective Order and Request for Expedited Ruling <a href="#">107</a> . (nh) (Entered: 02/14/2008)
02/14/2008	<a href="#">159</a>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning denying Plaintiff's Motion in Limine to Exclude All Evidence Concerning Claimant Not Seeking Professional Counseling <a href="#">124</a> . (nh) (Entered: 02/14/2008)
02/15/2008	<a href="#">160</a>	NOTICE of Attorney Substitution: Sally C Shanley substituted for C Emanuel Smith (Shanley, Sally) (Entered: 02/15/2008)
02/25/2008	<a href="#">161</a>	ORDER by District Judge James O. Browning denying Defendant's Motion in Limine to Exclude Evidence of Stray Remarks and Unsupported Conclusions of Racial Animus <a href="#">127</a> . (nh) (Entered: 02/25/2008)
02/25/2008	<a href="#">162</a>	ORDER by District Judge James O. Browning denying Defendant's Motion to Exclude Certain Witnesses from Testifying at Trial <a href="#">130</a> . (nh) (Entered: 02/25/2008)
02/25/2008	<a href="#">163</a>	ORDER by District Judge James O. Browning denying Defendant's Motion to Bifurcate Trial <a href="#">134</a> . (nh) (Entered: 02/25/2008)

03/03/2008	<a href="#">164</a>	Clerk's Minutes from motion hearing held 2/14/2008 before District Judge James O. Browning regarding motions as itemized herein (Court Reporter Danna Everett). (ks) (Entered: 03/03/2008)
03/03/2008	165	MINUTE ORDER, pursuant to the direction of District Judge James O. Browning, vacating the Jury Selection/Jury Trial scheduled on the Court's trailing docket commencing 3/10/2008 and rescheduling on 4/28/2008 at 09:00 AM (firm setting); vacating the Pretrial Conference scheduled on 2/21/2008 and rescheduling on 4/4/2008 at 01:30 PM; the Plaintiff shall provide the Pretrial Order to the Defendant by 3/20/2008; and the Defendant shall provide the Pretrial Order to the Court by 4/3/2008. All events will take place in Albuquerque - 460 Vermejo Courtroom. THIS IS A TEXT ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED. (ks) (Entered: 03/03/2008)
03/10/2008	<a href="#">166</a>	CERTIFICATE OF SERVICE by Equal Employment Opportunity Commission of Plaintiff's Sixth Initial Disclosures (Molina, Veronica) (Entered: 03/10/2008)
03/20/2008	<a href="#">167</a>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning denying Plaintiff's Motion in Limine to Exclude All Evidence Concerning Claimant's Prior Discipline <a href="#">126</a> and Defendant's Motion in Limine to Exclude Evidence of Mr. Peter's Then Undisclosed Explanation for his 1999 Insubordination <a href="#">128</a> . (nh) (Entered: 03/20/2008)
03/20/2008	<a href="#">168</a>	NOTICE by Equal Employment Opportunity Commission Of Unavailability of counsel from 3/24-27/2008 (Molina, Veronica) Modified text on 3/21/2008 (dmw) (Entered: 03/20/2008)
04/04/2008	<a href="#">169</a>	Clerk's Minutes for proceedings held before Judge James O. Browning : Pretrial Conference (not held - case settled) on 4/4/2008. (Court Reporter Danna Everett.) (dmw) (Entered: 04/09/2008)
04/11/2008	<a href="#">170</a>	CONSENT DECREE by District Judge James O. Browning (dmw) (Entered: 04/11/2008)

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