Court: US COURT OF APPEALS FOR THE TENTH CIRCUIT

Case Title: KMART CORPORATION v. LUCAS, ET AL

Appeal From: 10TH - TEAM 2

Termed: 09/06/2005

Date Filed: 07/28/2005

CASE INFORMATION

Case Number: <u>05-0504</u>

Case Type: APPEALS

Case Subtype: MISCELLANEOUS

FED. R. CIV. P. 23(F)

Key Nature of Suit: APPEALS (030)

LOWER COURT INFORMATION

District: 10-0

Lower Court Docket Number: 99-K-1923 (CBS)

OTHER CASES

Current Case(s):

Relationship: Lead Docket: Member Docket: Start Date: End Date:

PRIOR 05-0504 -- 09/06/2005 --

NAMES

Name: KMART CORPORATION

Type: PETITIONER

Attorney: WALTER B. CONNOLLY JR.

Firm Name: FOLEY & LARDNER Firm Address: 150 W. JEFFERSON

#1000

DETROIT, MI 48826

Firm Phone: 313-963-9517

Attorney: <u>STEVEN M. GUTIERREZ</u>

Firm Name: HALL & EVANS **Firm Address:** 1200 17TH STREET

SUITE 1700

DENVER, CO 80202

Attorney:STEVEN M. KAUFMANNFirm Name:MORRISON & FOERSTER

Firm Address: 370 17TH STREET

SUITE 5200 REPUBLIC PLAZA

DENVER, CO 80202-5638

Firm Phone: 303-592-1500

Attorney:DAVID F. MCDOWELLFirm Name:MORRISON & FOERSTERFirm Address:555 WEST FIFTH STREET

SUITE 3500

LOS ANGELES, CA 90013-1024

Firm Phone: 213-892-5200

Attorney:JOHN WILLIAM MILLFirm Name:SHERMAN & HOWARD

Firm Address: 633 17TH STREET, SUITE 3000

DENVER, CO 80202

Firm Phone: 303-399-8316
Attorney: SHANA T. MINTZ
Firm Name: FOLEY & LARDNER

Firm Address: 2029 CENTURY PARK EAST

35TH FLOOR

LOS ANGELES, CA 90067

Firm Phone: 310-277-2223

Attorney: ROBERT A. NAEVE

Firm Name: MORRISON & FOERSTER 19900 MACARTHUR BLVD.

12TH FLOOR

IRVINE, CA 92612-2445

Firm Phone: 949-251-7500

Attorney:THEODORE A. OLSENFirm Name:SHERMAN & HOWARDFirm Address:633 17TH STREET

#3000

DENVER, CO 80202

Firm Phone: 303-299-8380

Attorney: <u>LAWRENCE W. TREECE</u>

Attorney Phone: 303-299-8460

Firm Name: SHERMAN & HOWARD L.L.C.

Firm Address: 633 17TH STREET

SUITE 3000

DENVER, CO 80202

Attorney: <u>JOSE-MANUEL A. DE CASTRO</u>

Firm Name: FOLEY & LARDNER

Firm Address: 2029 CENTURY PARK EAST

35TH FLOOR

LOS ANGELES, CA 90067

Firm Phone: 310-277-2223

Name: CARRIE ANN LUCAS

Type: RESPONDENT

Attorney: MICHAEL WAYNE BREESKIN

Firm Name: ARC OF DENVER Firm Address: 1905 SHERMAN ST.

SUITE 300

DENVER, CO 80203

Firm Phone: 303-831-7733

Attorney: <u>L. JAVIER CAVAZOS</u>

Firm Name: L. JAVIER CAVAZOS, ATTY AT LAW

Firm Address: P.O. BOX 329

HARLINGTON, TX 78551

 Firm Phone:
 956-428-7348

 Attorney:
 BRIAN D. EAST

Firm Name: ADVOCACY, INC. - AUSTIN 7800 SHOAL CREEK BLVD.

#171-E

AUSTIN, TX 78757

Firm Phone: 512-454-4816
Attorney: TIMOTHY P. FOX
Firm Name: FOX & ROBERTSON
Firm Address: 910 16TH STREET

SUITE 610

DENVER, CO 80202

Firm Phone: 303-595-9700

Attorney: STEVEN R. GREENBERGER
Firm Name: DEPAUL COLLEGE OF LAW
Firm Address: 25 E. JACKSON BLVD.

CHICAGO, IL 60604

Firm Phone: 312-362-8138

Attorney: <u>STEPHEN T. LECUYER</u>
Firm Name: METTLER & LECUYER, PC

Firm Address: 4308 CARLISLE, NE

#208

ALBUQUERQUE, NM 87107

Firm Phone: 505-884-3244

Attorney: AMY FARR ROBERTSON
Firm Name: FOX & ROBERTSON
Firm Address: 910 16TH STREET

SUITE 610

DENVER, CO 80202

Firm Phone: 303-595-9700

Attorney: JAMES EARL TEAGUE
Firm Name: ADVOCACY, INC.
Firm Address: 1001 MAIN ST.

#200

LUBBOCK, TX 79401

Firm Phone: 806-765-7794

Attorney: <u>DENETTE VAUGHN</u>
Firm Name: ADVOCACY, INC.
Firm Address: 1001 MAIN ST.

#200

LUBBOCK, TX 79401

Firm Phone: 806-765-7794

Attorney: <u>KEVIN W. WILLIAMS</u>

Firm Name: COLORADO CROSS-DISABILITY COALITION

Firm Address: 655 BROADWAY

SUITE 775

DENVER, CO 80203

Firm Phone: 303-839-1775

Name:DEBBIE LANEType:RESPONDENT

Attorney: MICHAEL WAYNE BREESKIN

Attorney:L. JAVIER CAVAZOSAttorney:BRIAN D. EASTAttorney:TIMOTHY P. FOX

Attorney: STEVEN R. GREENBERGER
Attorney: STEPHEN T. LECUYER
Attorney: AMY FARR ROBERTSON
Attorney: JAMES EARL TEAGUE
Attorney: DENETTE VAUGHN
Attorney: KEVIN W. WILLIAMS

Name: JULIE REISKIN, ON BEHALF OF THEMSELVES AND ALL

OTHERS SIMILARLY SITUATED

Type: RESPONDENT

Attorney: MICHAEL WAYNE BREESKIN

Attorney:L. JAVIER CAVAZOSAttorney:BRIAN D. EASTAttorney:TIMOTHY P. FOX

Attorney:STEVEN R. GREENBERGERAttorney:STEPHEN T. LECUYERAttorney:AMY FARR ROBERTSONAttorney:JAMES EARL TEAGUEAttorney:DENETTE VAUGHNAttorney:KEVIN W. WILLIAMS

DOCKET PROCEEDINGS

ENTRY #: DATE: DESCRIPTION:

-- 09/06/2005 [1842809] PROCEDURALLY TERMINATED AFTER OTHER

JUDICIAL ACTION; PETITION FOR PERMISSION TO APPEAL WAS GRANTED ON 8/22/05. TRANSFERRED TO CASE NO 05-1411. PARTIES SERVED BY MAIL ON 9/6/05.

 08/22/2005	[1838582] ORDER FILED BY JUDGES KELLY, HARTZ, AND TYMKOVICH GRANTING PETITION FOR PERMISSION TO APPEAL; <u>28 USC 1292</u> [1830392-1]. PARTIES SERVED BY MAIL.
 08/16/2005	[1836999] PETITION FOR PERMISSION TO APPEAL; <u>28</u> <u>USC 1292</u> AND RESPONSE TO THE PETITION FOR PERMISSION TO APPEAL SUBMITTED TO COURT.
 08/05/2005	[1834398] APPENDIX FILED BY RESPONDENTX CARRIE ANN LUCAS, DEBBIE LANE AND JULIE REISKIN. ORIGINAL AND 3 COPIES: APPENDIX PAGES: 91.
 08/05/2005	[1834395] RESPONSE FILED BY CARRIE ANN LUCAS, DEBBIE LANE AND JULIE REISKIN TO PETITION FOR PERMISSION TO APPEAL; <u>28 USC 1292</u> . ORIGINAL AND 3 COPIES. C/S: Y
 08/04/2005	[1834923] NOTICE OF APPEARANCE FILED BY ROBERT A. NAEVE AS ATTORNEY FOR KMART CORPORATION. CERT. OF INTERESTED PARTIES (Y/N): Y.
 08/04/2005	[1834390] NOTICE OF APPEARANCE FILED BY TIMOTHY P. FOX AND AMY FARR ROBERTSON AS ATTORNEYS FOR CARRIE ANN LUCAS, DEBBIE LANE AND JULIE REISKIN. CERT. OF INTERESTED PARTIES (Y/N): Y.
 08/04/2005	[1834030] NOTICE OF APPEARANCE FILED BY DAVID F. MCDOWELL AS ATTORNEY FOR KMART CORPORATION. CERT. OF INTERESTED PARTIES (Y/N): Y.
 08/01/2005	[1832388] NOTICE OF APPEARANCE FILED BY STEVEN M. KAUFMANN AS ATTORNEY FOR KMART CORPORATION. CERT. OF INTERESTED PARTIES (Y/N): Y.

 07/28/2005	[1830402] APPENDIX TO PETITION FILED BY PETITIONER KMART CORPORATION. ORIGINAL AND 2 COPIES. C/S: Y.
 07/28/2005	[1830392] CASE DOCKETED. PETITION FOR PERMISSION TO APPEAL UNDER <u>28 U.S.C. 1292(B)</u> FILED. ORIGINAL AND 3 COPIES. C/S: Y. DATE RECEIVED: 7/27/05.
 07/28/2005	[1830599] OTHER E-DOCUMENT RECEIVED FROM KMART CORPORATION. PLEADING TYPE: PETITION FOR PERMISSION TO APPEAL. SUBMISSION TYPE: EMAIL.