1. EEOC Case ID#: EE-NM-0014

2. Docket number/Court of each of the related or consolidated cases: 02-CV-01212 and 02-CV-01213 (New Mexico)

3. Related or consolidated? Consolidated

4. Docket entry # (or other location) where consolidation or relation appears: Docket entry #57 in case 01212 and docket entry #39 in case 01213

5. Date of consolidation/relation? Order consolidating the cases is dated 6/13/2003. It is listed on the dockets with the date 6/16/2003.

6. Terms of the consolidation (e.g. "consolidated for purposes of discovery only, trial to be in front of original judge" or "consolidated for purposes of discovery; decision on trial consolidation to be made later"): "IT IS ORDERED that these actions are CONSOLIDATED for pretrial purposes, and that all future pleadings shall be filed in CIV 02-1212 BB/KBM, the lower numbered action."

7. For each case, who are the parties (include charging parties if EEOC is plaintiff) and what is the basic theory of the case? (e.g. sexual harassment, age discrimination)
02-01212: Plaintiff is EEOC; defendants are Bell Gas Incorporated, Cortez Gas Company, and ABC Propane Incorporated; theory—retaliation for complaint.

02:01213: Plaintiff is EEOC; defendants are Bell Gas Incorporated and Ballew Distributing Inc.; theory—sexual harassment/hostile work environment against female employees, failure by defendants to exercise reasonable care to prevent and promptly correct harassment.

8. Briefly describe the procedural history of each case prior to their being related or consolidated.
02-01212 was filed on 9/26/02; clerk enters default against defendant on 12/20/02 after which defendants file answer; default set aside and then little substantial activity other than scheduling prior to consolidation.

02:01213 was filed on 9/26/02; clerk enters default against defendant on 12/20/02 after which defendants file answer; default is removed and then little substantial activity other than scheduling order prior to consolidation.

9. After the cases were related/consolidated, what happened? was one case designated the lead case and all subsequent activity appears on that case docket? do both dockets contain lots of subsequent entries and if so, are they mostly or entirely duplicative, or do they indicate different types of activities in the two cases?
02-01212 was designated the lead case, and most of the subsequent activity is listed on that case's docket. The docket for 02-01213 has some activity but all of it is duplicative of activity recorded in 02-01212. Substantial activity recorded on the 02-01212 docket includes a 10/23/03 motion to quash filed by the New Mexico Dept of Labor (not listed as a party) that was denied

12/31/03, and defendants' motions for summary judgment dated 12/24/03. The denial of the motions for summary judgment, 7/20/04, was listed however on both dockets. Both dockets record the entering of consent decree on 09/22/04.