

**U.S. District Court  
Eastern District of California – Live System (Fresno)  
CIVIL DOCKET FOR CASE #: 1:06-cv-01251-OWW-GSA**

Equal Employment Opportunity Commission v. California  
Psychiatric Transitions, Inc.  
Assigned to: Senior Judge Oliver W. Wanger  
Referred to: Magistrate Judge Gary S. Austin  
Cause: 28:451 Employment Discrimination

Date Filed: 09/13/2006  
Date Terminated: 04/01/2010  
Jury Demand: Both  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**Equal Employment Opportunity  
Commission**

represented by **Dana C. Johnson**  
US Equal Employment Opportunity  
Commission  
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Los Angeles, CA 90012  
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V.

**Defendant**

**California Psychiatric Transitions, Inc.**

represented by **Henry Charles Truszkowski**  
Hewitt & Truszkowski  
4640 Lankershim Boulevard  
Suite 600  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
09/13/2006	<u>1</u>	COMPLAINT against California Psychiatric Transitions, Inc. by Equal Employment Opportunity Commission. Attorney Hernandez, Evangelina Patricia added.(Hernandez, Evangelina) (Entered: 09/13/2006)
09/13/2006	<u>2</u>	CIVIL COVER SHEET by Equal Employment Opportunity Commission (Hernandez, Evangelina) (Entered: 09/13/2006)
09/13/2006	<u>3</u>	SUMMONS ISSUED as to *California Psychiatric Transitions, Inc.* with answer to complaint due within *20* days. Attorney *Evangelina Patricia Hernandez* *U.S. Equal Employment Opportunity Commission* *350 The Embarcadero, Suite 500* *San Francisco, CA 94105*. (Lundstrom, T) (Entered: 09/13/2006)
09/13/2006	<u>4</u>	CIVIL NEW CASE DOCUMENTS ISSUED; Initial Scheduling Conference set for 1/30/2007 at 08:45 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Magistrate Standing Order # <u>2</u> Consent Forms) (Lundstrom, T) (Entered: 09/13/2006)
11/21/2006	<u>5</u>	STIPULATION FOR EXTENSION OF TIME FOR FILING RESPONSIVE PLEADING by California Psychiatric Transitions, Inc.. Attorney Truskowski, Henry Charles added. (Truskowski, Henry) (Entered: 11/21/2006)
12/11/2006	<u>6</u>	ANSWER to COMPLAINT with Jury Demand by California Psychiatric Transitions, Inc..(Truskowski, Henry) (Entered: 12/11/2006)
01/23/2007	<u>7</u>	JOINT SCHEDULING REPORT by Equal Employment Opportunity Commission. (Hernandez, Evangelina) (Entered: 01/23/2007)
01/24/2007	<u>8</u>	TEXT MESSAGE ONLY: CLERK'S NOTICE addressed to Attorneys Evangelina Hernandez and Henry Truskowski in re Joint Case Management Conference Statement and Proposed Order, document <u>7</u> – The aforementioned document references a "proposed order." The document should be filed with the event Proposed Order or Stipulation and Proposed Order. Additionally, Local Rule 5–137(b) requires that you email the proposed order in word processing format to the appropriate Judge. Please refer to "E–Mail Addresses for Proposed Orders" on our website (please disregard if you have emailed your document to the judge). (Rooney, M) (Entered: 01/24/2007)
01/30/2007	<u>9</u>	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : SCHEDULING CONFERENCE held on 1/30/2007. Court to issue scheduling order. Plaintiffs Counsel E. Hernandez present. Defendants Counsel H. Truskowski present. Court Reporter/CD Number: None. (Lucas, G) (Entered: 01/31/2007)
02/02/2007	<u>10</u>	SCHEDULING CONFERENCE ORDER: Discovery due by 4/1/2008. Non–Dispositive Motions due by 4/15/2008. Dispositive Motion due by 4/30/2008. Settlement Conference set for 5/7/2008 at 09:00 AM in Courtroom 8 (LJO) before Magistrate Judge Lawrence J. O'Neill. Pretrial Conference set for 7/14/2008 at 11:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Jury Trial set for 8/28/2008 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. signed by Judge Oliver W. Wanger on 1/31/07. (Kusamura, W) (Entered: 02/02/2007)
02/27/2007	<u>11</u>	NOTICE OF TEMPORARY ASSIGNMENT notifying parties that due to the elevation of Magistrate Judge Lawrence J. O'Neill, this action is temporarily reassigned to Magistrate Judge Theresa A. Goldner. (Gil–Garcia, A) (Entered: 02/27/2007)
02/28/2007	<u>12</u>	MINUTE ORDER (Text Only) as approved by Magistrate Judge Goldner: the SETTLEMENT CONFERENCE on 5/7/2008 before Judge O'Neill is VACATED. Parties are to contact Magistrate Judge Goldner's Courtroom Deputy Clerk Alan Leon–Guerrero at (661) 326–6620 for a new Settlement Conference date.(Leon Guerrero, A) (Entered: 02/28/2007)
03/08/2007	<u>13</u>	MINUTE ORDER (Text Only) re <u>12</u> . A Settlement Conference in this case has been set for 8/2/2007 at 10:30 AM in Courtroom 8 (TAG) before Magistrate Judge Theresa A. Goldner. (Leon Guerrero, A) (Entered: 03/08/2007)

10/12/2007	<u>14</u>	ORDER by Chief Judge Garland E. Burrell, Jr.: This action is REASSIGNED to Magistrate Judge Gary S. Austin, and the new case number is 1:06-cv-01251 OWW GSA. (Esteves, C) (Entered: 10/12/2007)
12/18/2007	<u>15</u>	MOTION to VACATE by Equal Employment Opportunity Commission.Motion Hearing set for 1/23/2009 at 09:00 AM in Courtroom 7 before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration Evangelina Hernandez# <u>2</u> Proposed Order)(Hernandez, Evangelina) (Entered: 12/18/2007)
12/19/2007	16	MINUTE ORDER: ***TEXT ONLY ENTRY*** The docket indicates that you docketed a proposed order, <u>15</u> , however you failed to also send it to Judge Wangers order box so it could actually be signed. Please submit the document in Word or WordPerfect format to owworders@caed.uscourts.gov (Timken, A) (Entered: 12/19/2007)
01/08/2008	<u>17</u>	NOTICE by Equal Employment Opportunity Commission re <u>15</u> MOTION to VACATE. <i>OF HEARING ON MOTION FOR JAN. 28, 2008</i> (Hernandez, Evangelina) (Entered: 01/08/2008)
01/10/2008	<u>18</u>	SUBSTITUTION of ATTORNEY – PROPOSED, submitted by Equal Employment Opportunity Commission. (Hernandez, Evangelina) (Entered: 01/10/2008)
01/11/2008	19	MINUTE ORDER: ***TEXT ONLY ENTRY*** The hearing re <u>17</u> does not comply with the local rules. Please re–set this motion pursuant to Local Rule 78–230, or file a stipulation and proposed order with an agreed upon date for this motion to be heard. The hearing date of 1/28/2008 has been vacated. (Timken, A) (Entered: 01/11/2008)
01/21/2008	<u>20</u>	MOTION to VACATE <i>Scheduling Order and Reset Dates to Later Date</i> by Equal Employment Opportunity Commission. Motion Hearing set for 2/25/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration Evangelina Hernandez, # <u>2</u> Proposed Order)(Hernandez, Evangelina) (Entered: 01/21/2008)
02/15/2008	<u>21</u>	STATEMENT of NON–OPPOSITION to MOTION. <i>to Vacate the Current Scheduling Order and Reset Deadlines to a Later Date</i> (Truszkowski, Henry) (Entered: 02/15/2008)
02/22/2008	<u>22</u>	ORDER re Plaintiff EEOC's Motion and Application to Vacate the Current Scheduling Order and Reset Deadlines to a Later Date. Non–Dispositive Motions currently due 4/15/2008 are now due by 10/15/2008. Non Dispositive Motion Hearing has been re–set to 11/21/2008 at 09:00 AM in Courtroom 10 (GSA) before Magistrate Judge Gary S. Austin. Dispositive Motions currently due 4/30/2008 are now due by 10/30/2008. Dispositive Motion Hearing currently set for 6/2/2008 has been re–set to 12/1/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Settlement Conference currently set for 5/7/2008 has been re–set to 11/12/2008 at 09:00 AM in Courtroom 10 (GSA) before Magistrate Judge Gary S. Austin. Pretrial Conference currently set for 7/14/2008 has been re–set for 1/5/2009 at 11:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Jury Trial currently set for 8/28/2008 has been re–set to 2/18/2009 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. signed by Judge Oliver W. Wanger on 2/22/2008. (Timken, A) (Entered: 02/22/2008)
02/22/2008	23	MINUTE ORDER: ***TEXT ONLY ENTRY*** As a statement of non opposition <u>21</u> was filed regarding the motion to vacate the currently schedule <u>20</u> , and the Court has signed the order, the hearing re the motion to vacate currently set for 2/25/2008 has been vacated. (Timken, A) (Entered: 02/22/2008)
02/26/2008	24	MINUTE ORDER (TEXT ONLY ENTRY): Settlement Conference currently set for 11/12/2008 WILL BE HEARD AT 10:30 AM (instead of 9:00 a.m. – TIME CHANGE ONLY) in Courtroom 10 (GSA) before Magistrate Judge Gary S. Austin. (Vasquez, J) (Entered: 02/26/2008)
07/30/2008	<u>25</u>	STIPULATION and PROPOSED ORDER Stipulation by California Psychiatric Transitions, Inc.. (Attachments: # <u>1</u> Proposed Order)(Truszkowski, Henry) (Entered: 07/30/2008)

09/02/2008	<u>26</u>	NOTICE OF ADDITION OF COUNSEL FOR PLAINTIFF EEOC by Equal Employment Opportunity Commission. Attorney Johnson, Dana C. added. (Johnson, Dana) (Entered: 09/02/2008)
09/22/2008	<u>27</u>	ORDER ON STIPULATION To Modify And Reset Certain Scheduling Order Dates, Trial Date: 8/26/08, signed by Judge Oliver W. Wanger on 9/18/2008. (Expert Disclosure: 9/15/2008, Non-Expert Discovery: 11/1/2008, Supplemental Expert Disclosure: 10/15/2008) (Scrivner, E) (Entered: 09/22/2008)
09/22/2008		SERVICE BY MAIL: <u>27</u> Stipulation and Order, Equal Employment Opportunity Commission. (Scrivner, E) (Entered: 09/22/2008)
10/07/2008	<u>28</u>	NOTICE of RELATED CASE 1:08-cv-1478 by Equal Employment Opportunity Commission. (Johnson, Dana) (Entered: 10/07/2008)
10/07/2008	<u>29</u>	STIPULATION and PROPOSED ORDER by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration of Dana C. Johnson in Support of the Stipulation to Modify and Reset Certain Scheduling Order Dates)(Johnson, Dana) (Entered: 10/07/2008)
10/09/2008	<u>30</u>	STIPULATION and ORDER to modify and reset certain Scheduling Dates signed by Judge Oliver W. Wanger on 10/8/2008. Supplemental Designation of Expert Witnesses due by 10/30/2008. Discovery due by 12/12/2008. Non-Dispositive Motions due by 12/29/2008; In Court Hearing set for 2/6/2009 at 09:00 AM in Courtroom 10 (GSA) before Magistrate Judge Gary S. Austin. Dispositive Motion due by 1/13/2009; In Court Hearing set for 2/23/2009 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Settlement Conference set for 12/3/2008 at 09:00 AM in Courtroom 10 (GSA) before Magistrate Judge Gary S. Austin. Pretrial Conference set for 3/23/2009 at 11:00 AM in Courtroom 3(OWW) before Judge Oliver W. Wanger. Jury Trial set for 4/28/2009 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger.(Lundstrom, T) (Entered: 10/09/2008)
10/09/2008		SERVICE BY MAIL: <u>30</u> Stipulation and Order served on Equal Employment Opportunity Commission. (Lundstrom, T) (Entered: 10/09/2008)
11/19/2008	31	MINUTE ORDER (TEXT ONLY): The Settlement Conference currently set for 12/3/2008 at 9:00 AM HAS BEEN CONTINUED to 12/3/2008 at <b>10:30 AM</b> in Courtroom 10 (GSA) before Magistrate Judge Gary S. Austin. <b>***Time change ONLY.***</b> (Esteves, C) (Entered: 11/19/2008)
12/02/2008	<u>32</u>	STIPULATION and PROPOSED ORDER for Modifying and Resetting Certain Scheduling Order Dates by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration of Dana C. Johnson in Support of the Stipulation to Modify and Reset Certain Scheduling Order Dates)(Johnson, Dana) (Entered: 12/02/2008)
12/03/2008	33	MINUTES (Text Only) for proceedings held before Magistrate Judge Gary S. Austin: SETTLEMENT CONFERENCE on 12/3/2008 – Case DID NOT settle. Plaintiffs Counsel Dana Johnson and William Tamayo present. Defendants Counsel Henry Truszkowski and Stephen Hewitt present. (Esteves, C) (Entered: 12/04/2008)
12/09/2008	<u>34</u>	STIPULATION and ORDER to Modify and Reset Certain Scheduling Order Dates signed by Judge Oliver W. Wanger on 12/05/2008. Non-Expert Discovery Deadline due by 2/27/2009; Supplemental Expert Disclosre due by 3/13/2009; Expert Depositions due by 3/27/2009; Non-Dispositive Motions due by 3/20/2009; Dispositive Motion due by 5/4/2009; Hearing on Dispositive Motions set for 6/1/2009 at 10:00 AM in Courtroom 3 before Judge Oliver W. Wanger; Jury Trial set for 8/4/2009 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger; Hearing on Non-Dispositive Motions set for 4/17/2009 at 09:00 AM in Courtroom 10 (GSA) before Magistrate Judge Gary S. Austin; Pretrial Conference set for 6/29/2009 at 11:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Flores, E) (Entered: 12/09/2008)
02/13/2009	<u>35</u>	STIPULATION and PROPOSED ORDER for Extension of Deadlines by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> [Proposed] Order, # <u>2</u> Declaration of Dana C. Johnson)(Johnson, Dana) (Entered: 02/13/2009)

02/18/2009	<u>36</u>	ORDER ON STIPULATION TO MODIFY AND RESET CERTAIN SCHEDULING ORDER DATES, signed by Judge Oliver W. Wanger on 2/13/2009. (Deadline for expert depositions: 4/17/2009, Supplemental Expert Disclosure: 4/3/2009, Non-Expert Discovery Deadline: 4/3/2009, Non-Dispositive Motions Filing: 5/4/2009, Hearing on Non-Dispositive Motions: 5/29/2009 at 09:00 AM in Courtroom 10 (GSA) before Magistrate Judge Gary S. Austin) (Scrivner, E) (Entered: 02/18/2009)
02/18/2009		SERVICE BY MAIL: <u>36</u> Stipulation and Order, served on Equal Employment Opportunity Commission. (Scrivner, E) (Entered: 02/18/2009)
05/04/2009	<u>37</u>	MOTION for SUMMARY JUDGMENT by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration of the EEOC Custodian of Records, # <u>2</u> Exhibit 1-9, # <u>3</u> Statement of Undisputed Facts, # <u>4</u> Stip to File Under Seal)(Johnson, Dana) (Entered: 05/04/2009)
05/04/2009	<u>38</u>	MOTION for DISCOVERY by Equal Employment Opportunity Commission. Motion Hearing set for 5/29/2009 at 09:30 AM in Courtroom 10 (GSA) before Magistrate Judge Gary S. Austin. (Johnson, Dana) (Entered: 05/04/2009)
05/04/2009	<u>39</u>	STATEMENT of Undisputed Facts (Amended) re EEOC Motion for Partial Summary Judgment on Conditions Precedent by Plaintiff Equal Employment Opportunity Commission re <u>37</u> MOTION for SUMMARY JUDGMENT. (Attachments: # <u>1</u> Exhibit 10, # <u>2</u> Declaration of Dana C. Johnson In Support of the EEOC's Motion for Partial Summary Judgment on Conditions Precedent)(Johnson, Dana) (Entered: 05/04/2009)
05/04/2009	<u>40</u>	MOTION for SUMMARY JUDGMENT by California Psychiatric Transitions, Inc.. Motion Hearing set for 6/1/2009 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Truskowski, Henry) (Entered: 05/04/2009)
05/04/2009	<u>41</u>	DECLARATION of James T. Drayton in Support of <u>40</u> MOTION for SUMMARY JUDGMENT. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Truskowski, Henry) (Entered: 05/04/2009)
05/04/2009	<u>42</u>	DECLARATION of Henry C. Truskowski in Support of <u>40</u> MOTION for SUMMARY JUDGMENT. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Truskowski, Henry) (Entered: 05/04/2009)
05/04/2009	<u>43</u>	STATEMENT by Defendant California Psychiatric Transitions, Inc. re <u>40</u> MOTION for SUMMARY JUDGMENT. (Truskowski, Henry) (Entered: 05/04/2009)
05/05/2009	44	MINUTE ORDER: (TEXT ENTRY ONLY) As Judge Wanger only allows six motions to be set on his civil calendar at a given time, and the civil calendar for 6/1/2009 is full, Defendant's Motion for Summary Judgment, document <u>40</u> , currently noticed to be heard on that date, has been CONTINUED to 7/20/2009 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger, to be heard with plaintiff's motion re same. <b>ALSO, both counsel are reminded of Local Rule 5-133(f) which requires that when any document which has been electronically filed exceeds 25 pages, counsel must submit a courtesy copy to chambers which is properly tabbed and fastened.</b> (Rooney, M) (Entered: 05/05/2009)
05/06/2009	45	MINUTE ORDER: (TEXT ENTRY ONLY) In connection with the Minute Order of yesterday, docket entry 44 , moving the summary judgment motions to 7/20/2009 - <b>PLEASE DISREGARD/CLERICAL ERROR</b> - both parties' motions will be heard on 6/1/2009 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Rooney, M) (Entered: 05/06/2009)
05/06/2009	46	MINUTE ORDER: (TEXT ENTRY ONLY) To allow the Court to properly prepare for oral argument and, in the interest of judicial economy, the cross-motions for summary judgment originally set for 6/1/2009 and 7/20/2009, documents <u>37</u> <u>40</u> , currently set for 6/1/2009, are again moved and will now be set for hearing on 6/29/2009 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Rooney, M) (Entered: 05/06/2009)

05/06/2009		SERVICE BY MAIL: 46 44 45 Minute Order served on Equal Employment Opportunity Commission. (Rooney, M) (Entered: 05/06/2009)
05/06/2009	<u>47</u>	MINUTE ORDER: (TEXT ENTRY ONLY) As the motions for summary judgment have been set for 6/29/2009, the pretrial conference currently set for the same day, has been CONTINUED to 7/6/2009 at 11:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Rooney, M) (Entered: 05/06/2009)
05/06/2009		SERVICE BY MAIL: 47 Minute Order served on Equal Employment Opportunity Commission. (Rooney, M) (Entered: 05/06/2009)
05/08/2009	<u>48</u>	STIPULATION and PROPOSED ORDER for resetting Pre-Trial Conference and Trial Dates by Equal Employment Opportunity Commission. (Johnson, Dana) (Entered: 05/08/2009)
05/13/2009	<u>49</u>	STIPULATION and ORDER GRANTING the continuance of the pretrial and trial dates as follows: Jury Trial currently set for 8/4/2009 is CONTINUED to 10/20/2009 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger; Pretrial Conference currently set for 7/6/2009 is CONTINUED to 8/31/2009 at 11:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger; order signed by Judge Oliver W. Wanger on 5/11/2009. (Rooney, M) (Entered: 05/13/2009)
05/13/2009		SERVICE BY MAIL: <u>49</u> Stipulation and Order served on Equal Employment Opportunity Commission. (Rooney, M) (Entered: 05/13/2009)
05/21/2009	<u>50</u>	STIPULATION <i>To Continue Hearing on Discovery Disagreements; Declaration of Henry C. Truskowski</i> by California Psychiatric Transitions, Inc.. (Truskowski, Henry) (Entered: 05/21/2009)
05/22/2009	<u>51</u>	ORDER on Stipulation to Continue Hearing on Discovery Disagreements signed by Magistrate Judge Gary S. Austin on 5/22/2009. <i>Motion Hearing CONTINUED TO 6/5/2009 at 09:30 AM in Courtroom 10 (GSA) before Magistrate Judge Gary S. Austin. (Esteves, C) (Entered: 05/22/2009)</i>
06/02/2009	<u>52</u>	MOTION for DISCOVERY <i>Orders re Defendant's Financial Condition, Depositions of EEOC Investigator and 30(b)(6) Designee, and Claimant's Medical Records</i> by Equal Employment Opportunity Commission. Motion Hearing set for 6/5/2009 at 09:00 AM before Magistrate Judge Gary S. Austin. (Attachments: # <u>1</u> Declaration of Dana Johnson for the Plaintiff EEOC, # <u>2</u> Declaration of Evangelina Hernandez in support of Plaintiff EEOC, # <u>3</u> Declaration of Malinda Tuazon in support of Plaintiff EEOC, # <u>4</u> Exhibit A of EEOC, # <u>5</u> Exhibit B of EEOC, # <u>6</u> Exhibit C of EEOC, # <u>7</u> Exhibit D of EEOC, # <u>8</u> Declaration of Henry Truskowski in support of Defendant California Psychiatric Transitions, # <u>9</u> Exhibit A of Defendant CPT, # <u>10</u> Exhibit B of Defendant CPT, # <u>11</u> Exhibit C of Defendant CPT, # <u>12</u> Exhibit D of Defendant CPT, # <u>13</u> Exhibit E of Defendant CPT, # <u>14</u> Exhibit F of Defendant CPT, # <u>15</u> Exhibit G of Defendant CPT, # <u>16</u> Exhibit H of Defendant CPT, # <u>17</u> Exhibit I of Defendant CPT)(Johnson, Dana) (Entered: 06/02/2009)
06/05/2009	<u>53</u>	MINUTES (Text Only) for proceedings held before Magistrate Judge Gary S. Austin: MOTION HEARING HELD and ARGUED on 6/5/2009 re Plaintiff's <u>52</u> Motion For Discovery. COURT TAKES MATTER UNDER ADVISEMENT. Order to follow. Plaintiffs Counsel Dana Johnson present. Defendants Counsel Henry Truskowski present. (Esteves, C) (Entered: 06/05/2009)
06/12/2009	<u>54</u>	OPPOSITION by Equal Employment Opportunity Commission to <u>40</u> MOTION for SUMMARY JUDGMENT. (Attachments: # <u>1</u> Statement of Disputed Facts, # <u>2</u> Statement of Response to Defendant's Statement of Undisputed Facts)(Johnson, Dana) (Entered: 06/12/2009)
06/12/2009	<u>55</u>	OPPOSITION by Equal Employment Opportunity Commission to <u>40</u> MOTION for SUMMARY JUDGMENT. (Attachments: # <u>1</u> Exhibit A part 2, # <u>2</u> Exhibit A part 3, # <u>3</u> Exhibit A part 4, # <u>4</u> Exhibit A part 5, # <u>5</u> Exhibit A part 6, # <u>6</u> Exhibit A part 7, # <u>7</u> Declaration of the EEOC Custodian of Records, # <u>8</u> Declaration of Dana Johnson)(Johnson, Dana) (Entered: 06/12/2009)
06/12/2009	<u>56</u>	EXHIBIT <i>G part 2 through O in support of EEOC's opposition</i> re <u>40</u> MOTION for SUMMARY JUDGMENT filed by California Psychiatric Transitions, Inc..

		(Attachments: # <u>1</u> Exhibit G part 3, # <u>2</u> Exhibit H and I, # <u>3</u> Exhibit J through N, # <u>4</u> Exhibit O)(Johnson, Dana) (Entered: 06/12/2009)
06/12/2009	<u>57</u>	EXHIBIT <i>P and Q</i> in support of the EEOC's opposition re <u>40</u> MOTION for SUMMARY JUDGMENT filed by California Psychiatric Transitions, Inc.. (Attachments: # <u>1</u> Exhibit P part 2, # <u>2</u> Exhibit P part 3, # <u>3</u> Exhibit Q)(Johnson, Dana) (Entered: 06/12/2009)
06/15/2009	<u>58</u>	NOTICE of APPEARANCE by Raymond T. Cheung, GOVT on behalf of Equal Employment Opportunity Commission. Attorney Cheung, Raymond T. added. (Cheung, Raymond) (Entered: 06/15/2009)
06/15/2009	<u>59</u>	OPPOSITION by California Psychiatric Transitions, Inc.. (Truskowski, Henry) (Entered: 06/15/2009)
06/15/2009	<u>60</u>	REPLY/RESPONSE to Plaintiff EEOC's Amended Statement of Undisputed Facts in Support of Its Motion for Partial Summary Judgment on the Issue of Conditions Precedent and Additional Undisputed Material Facts by California Psychiatric Transitions, Inc. re <u>59</u> Opposition to Motion. (Truskowski, Henry) (Entered: 06/15/2009)
06/15/2009	<u>61</u>	OBJECTIONS by Defendant California Psychiatric Transitions, Inc. to <u>60</u> Reply/Response, <u>59</u> Opposition to Motion. (Truskowski, Henry) (Entered: 06/15/2009)
06/15/2009	<u>62</u>	DECLARATION of Henry C. Truskowski re <u>61</u> Objections, <u>60</u> Reply/Response, <u>59</u> Opposition to Motion. (Attachments: # <u>1</u> Exhibit J, # <u>2</u> Exhibit K)(Truskowski, Henry) (Entered: 06/15/2009)
06/17/2009	<u>63</u>	NOTICE <i>Errata: Table of Authorities in EEOC's Opposition</i> by Equal Employment Opportunity Commission re <u>40</u> MOTION for SUMMARY JUDGMENT. (Johnson, Dana) (Entered: 06/17/2009)
06/18/2009	<u>64</u>	ORDER Regarding Discovery Disagreements <u>38</u> <u>52</u> signed by Magistrate Judge Gary S. Austin on 6/18/2009. (Esteves, C) (Entered: 06/18/2009)
06/19/2009	<u>65</u>	REPLY by Equal Employment Opportunity Commission to RESPONSE to <u>37</u> MOTION for SUMMARY JUDGMENT. (Attachments: # <u>1</u> Statement by EEOC in Response to Defendant's Statement of Additional Disputed Facts)(Johnson, Dana) (Entered: 06/19/2009)
06/22/2009	<u>66</u>	REPLY/RESPONSE to in support of Def. California Psychiatric Transitions, Inc.'s Motion for partial Summary Judgment/Adjudication by California Psychiatric Transitions, Inc.. (Truskowski, Henry) (Entered: 06/22/2009)
06/22/2009	<u>67</u>	REPLY/RESPONSE to of Def. California Psychiatric Transitions, Inc. to EEOC's Statement of Disputed Facts by California Psychiatric Transitions, Inc.. (Truskowski, Henry) (Entered: 06/22/2009)
06/22/2009	<u>68</u>	OBJECTIONS by Defendant California Psychiatric Transitions, Inc.. (Attachments: # <u>1</u> Exhibit L, # <u>2</u> Exhibit M)(Truskowski, Henry) (Entered: 06/22/2009)
06/25/2009	<u>69</u>	STIPULATION and PROPOSED ORDER for Protective Order re <u>64</u> Order on Motion for Discovery, by Equal Employment Opportunity Commission. (Johnson, Dana) (Entered: 06/25/2009)
06/26/2009	<u>70</u>	Stipulation and PROTECTIVE ORDER signed by Magistrate Judge Gary S. Austin on 6/26/2009. (Esteves, C) (Entered: 06/26/2009)
06/29/2009	71	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger: Plaintiff's and Defendant's Motions for Summary Judgment hearing held on 6/29/2009, documents <u>37</u> <u>40</u> – motions argued/submitted – court to issue ruling. Plaintiff's Counsel D. Johnson present. Defendant's Counsel H. Truskowski present. Court Reporter/CD Number: ECRO. (Rooney, M) (Entered: 06/29/2009)
08/04/2009	<u>72</u>	MEMORANDUM DECISION Re Plaintiff EEOC'S Motion For Summary Adjudication (Doc. <u>37</u> ) And Defendant California Psychiatric Transitions, Inc.'s Motion For Summary Adjudication (Doc. <u>40</u> ), signed by Judge Oliver W. Wanger

		on 7/31/2009. <b>Plaintiff shall submit a form of order consistent with this memorandum decision within five (5) days of electronic service. (Filing Deadline: 8/11/2009) (Scrivner, E) (Entered: 08/04/2009)</b>
08/04/2009		SERVICE BY MAIL: <u>72</u> Memorandum Decision, served on Equal Employment Opportunity Commission. (Scrivner, E) (Entered: 08/04/2009)
08/12/2009	<u>73</u>	PROPOSED ORDER by Equal Employment Opportunity Commission. (Johnson, Dana) (Entered: 08/12/2009)
08/13/2009	<u>74</u>	ORDER Re The EEOC's Motion For Partial Summary Judgment On Conditions Precedent And California Psychiatric Transitions, Inc.'s Motion For Summary Adjudication <u>37</u> , signed by Judge Oliver W. Wanger on 8/12/2009. (Scrivner, E) (Entered: 08/13/2009)
08/13/2009		SERVICE BY MAIL: <u>74</u> Order, served on Equal Employment Opportunity Commission. (Scrivner, E) (Entered: 08/13/2009)
08/24/2009	<u>75</u>	PRETRIAL STATEMENT by Plaintiff Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit A: EEOC's list of trial exhibits, # <u>2</u> Exhibit B: CPT's list of trial exhibits)(Johnson, Dana) (Entered: 08/24/2009)
08/31/2009	<u>76</u>	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger: PRETRIAL CONFERENCE held on 8/31/2009. Motions in Limine Schedule set as follows: Motions by 9/15/2009 and Opposition due by 9/29/2009. Motion in Limine Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Plaintiffs Counsel D. Johnson and R. Cheung present. Defendants Counsel H. Truskowski present. (Gaumnitz, R) (Entered: 09/02/2009)
09/03/2009	<u>77</u>	AMENDED DOCUMENT by Equal Employment Opportunity Commission. Amendment to <u>75</u> Pretrial Statement. (Johnson, Dana) (Entered: 09/03/2009)
09/04/2009	<u>78</u>	AMENDED DOCUMENT by California Psychiatric Transitions, Inc.. Amendment to <u>75</u> Pretrial Statement. (Truskowski, Henry) (Entered: 09/04/2009)
09/09/2009	<u>79</u>	FINAL PRETRIAL ORDER signed by Judge Oliver W. Wanger on 09/04/2009. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger; Jury Trial set for 10/20/2009 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Flores, E) (Entered: 09/09/2009)
09/09/2009		SERVICE BY MAIL: <u>79</u> Pretrial Order served on Equal Employment Opportunity Commission. (Flores, E) (Entered: 09/09/2009)
09/15/2009	<u>80</u>	MOTION IN LIMINE <i>TO BIFURCATE</i> by California Psychiatric Transitions, Inc.. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Truskowski, Henry) (Entered: 09/15/2009)
09/15/2009	<u>81</u>	MOTION IN LIMINE <i>TO EXCLUDE EVIDENCE OF SETTLEMENT DISCUSSIONS AND RELATED DOCUMENTS</i> by California Psychiatric Transitions, Inc.. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Truskowski, Henry) (Entered: 09/15/2009)
09/15/2009	<u>82</u>	MOTION IN LIMINE <i>REGARDING NET WORTH</i> by California Psychiatric Transitions, Inc.. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Truskowski, Henry) (Entered: 09/15/2009)
09/15/2009	<u>83</u>	MOTION IN LIMINE <i>TO PRECLUDE PLAINTIFF FROM RAISING OR ASSERT EVIDENCE OF OTHER CLAIM AND LAWSUITS</i> by California Psychiatric Transitions, Inc.. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Truskowski, Henry) (Entered: 09/15/2009)
09/15/2009	<u>84</u>	MOTION IN LIMINE <i>TO BAR TESTIMONY AND EVIDENCE REGARDING CLAIMANT MARIEL SOMERA'S CHARGE OF DISCRIMINATION AND THE EEOC'S DETERMINATION OF PROBABLE CAUSE</i> by California Psychiatric Transitions, Inc.. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Truskowski, Henry) (Entered: 09/15/2009)



		09/15/2009)
09/15/2009	<u>85</u>	MOTION IN LIMINE <i>TO BAR TESTIMONY AND EVIDENCE REGARDING ROSEMARY VALLERY'S ALLEGATIONS OF MISCONDUCT AGAINST LARRY FUENTES</i> by California Psychiatric Transitions, Inc.. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Deposition Transcript of Rosemary Vallery)(Truskowski, Henry) (Entered: 09/15/2009)
09/15/2009	<u>86</u>	MOTION IN LIMINE <i>No 1 To Exclude Expert Testimony</i> by Equal Employment Opportunity Commission. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration of Dana Johnson, # <u>2</u> Proposed Order, # <u>3</u> Appendix Table of contents/authorities to MIL 1, # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>87</u>	MOTION IN LIMINE <i>TO BAR TESTIMONY AND EVIDENCE REGARDING PUTATIVE CLAIMANT AMY KOONS</i> by California Psychiatric Transitions, Inc.. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Employee Contact List, # <u>2</u> May 15, 2007 Correspondence)(Truskowski, Henry) (Entered: 09/15/2009)
09/15/2009	<u>88</u>	MOTION IN LIMINE <i>No. 2 to exclude testimony of or statement by Ron Riveira</i> by Equal Employment Opportunity Commission. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration of Dana Johnson, # <u>2</u> Exhibit A through E, # <u>3</u> Proposed Order)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>89</u>	MOTION IN LIMINE <i>No 3 to exclude evidence of the inadequacy or bias of the EEOC's administrative investigation</i> by Equal Employment Opportunity Commission. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration of Dana Johnson, # <u>2</u> Exhibit A and B, # <u>3</u> Proposed Order)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>90</u>	MOTION IN LIMINE <i>No. 5 to bar mention of the statutory cap</i> by Equal Employment Opportunity Commission. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Proposed Order)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>91</u>	MOTION IN LIMINE <i>No. 6 to bar evidence of application for or receipt of unemployment or workers' comp. benefits</i> by Equal Employment Opportunity Commission. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Proposed Order)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>92</u>	MOTION IN LIMINE <i>No. 7 to bar evidence that Sherry Wall yelled at or was abusive to patients</i> by Equal Employment Opportunity Commission. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration of Dana Johnson, # <u>2</u> Exhibit A and B, # <u>3</u> Proposed Order)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>93</u>	MOTION IN LIMINE <i>No. 8 to bar John Hackett's testimony that Sherry Wall lied about the purpose of a trip to New York</i> by Equal Employment Opportunity Commission. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration of Dana Johnson, # <u>2</u> Exhibit A through C, # <u>3</u> Proposed Order)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>94</u>	MOTION IN LIMINE <i>No. 9 to bar use of documents not produced during the discovery phase of litigation</i> by Equal Employment Opportunity Commission. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration of Dana Johnson, # <u>2</u> Proposed Order)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>95</u>	MOTION IN LIMINE <i>No. 10 to preclude evidence of employers prior and subsequent to CPT</i> by Equal Employment Opportunity Commission. Motion

		Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Proposed Order)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>96</u>	MOTION IN LIMINE <i>No. 11 to bar use of EEOC 20–22</i> by Equal Employment Opportunity Commission. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration of Evangelina Hernandez, # <u>2</u> Proposed Order)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>97</u>	MOTION IN LIMINE <i>No. 12 to bar speculative testimony of Robert Rice about Renee Addison</i> by Equal Employment Opportunity Commission. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration of Dana Johnson, # <u>2</u> Exhibit A, # <u>3</u> Proposed Order)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>98</u>	MOTION IN LIMINE <i>No. 13 to bar evidence that Renee Addison withheld medication from patients</i> by Equal Employment Opportunity Commission. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration of Dana Johnson, # <u>2</u> Exhibit A, # <u>3</u> Proposed Order)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>99</u>	MOTION IN LIMINE <i>No. 14 to bar evidence of Stephanie Riveira's Religious Affiliation</i> by Equal Employment Opportunity Commission. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Proposed Order)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>100</u>	MOTION IN LIMINE <i>No. 15 to bar Hackett from testifying that Valerie Soares or other claimants breached patient confidentiality</i> by Equal Employment Opportunity Commission. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration of Dana Johnson, # <u>2</u> Exhibit A, # <u>3</u> Proposed Order)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>101</u>	MOTION IN LIMINE <i>No. 16 to bar evidence of Valerie Soares' supposedly aggressive or abusive behavior with patients</i> by Equal Employment Opportunity Commission. Motion Hearing set for 10/2/2009 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration of Dana Johnson, # <u>2</u> Exhibit A, # <u>3</u> Proposed Order)(Johnson, Dana) (Entered: 09/15/2009)
09/15/2009	<u>102</u>	STIPULATION and PROPOSED ORDER for to strike certain affirmative defenses and eliminate Rosemary Vallery as a claimant by Equal Employment Opportunity Commission. (Johnson, Dana) (Entered: 09/15/2009)
09/16/2009	<u>103</u>	ORDER Granting Plaintiff EEOC's <i>Ex Parte</i> Motion to File its Motion in Limine No. 4 to Exclude Evidence of any Charging Parties' or Claimants' Past Sexual Behavior or Sexual Predisposition pursuant to F.R.E. 412 UNDER SEAL, signed by Judge Oliver W. Wanger on 9/16/09. (Verduzco, M) (Entered: 09/16/2009)
09/17/2009	<u>104</u>	SEALED EVENT. (Flores, E) (Entered: 09/18/2009)
09/29/2009	<u>105</u>	NOTICE of SETTLEMENT AND [PROPOSED] ORDER TO VACATE DATES AND SET DEADLINE TO FILE CONSENT DECREE by Equal Employment Opportunity Commission. Dismissal due within 20 days pursuant to LR 16–160. (Johnson, Dana) (Entered: 09/29/2009)
10/16/2009	<u>106</u>	PROPOSED ORDER Consent Decree re <u>105</u> Notice of Settlement by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Johnson, Dana) (Entered: 10/16/2009)
10/21/2009	<u>107</u>	CONSENT DECREE signed by Judge Oliver W. Wanger on 10/19/2009. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Kusamura, W) (Entered: 10/21/2009)