

**U.S. District Court
Eastern District of California – Live System (Fresno)
CIVIL DOCKET FOR CASE #: 1:06-cv-00165-OWW-TAG**

Equal Employment Opportunity Commission v. Kovacevich 5
Farms
Assigned to: Senior Judge Oliver W. Wanger
Referred to: Magistrate Judge Theresa A. Goldner
Cause: 28:451 Employment Discrimination

Date Filed: 02/13/2006
Date Terminated: 12/01/2008
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Plaintiff

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Evangelina Patricia Hernandez**
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V.

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Intervenor Plaintiff

Miriam Delgado

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Intervenor Plaintiff

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Intervenor Plaintiff

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V.

Defendant

Kovacevich 5 Farms

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Date Filed	#	Docket Text
02/13/2006	<u>1</u>	COMPLAINT against Kovacevich 5 Farms, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Civil Cover Sheet)(Hernandez, Evangelina) (Entered: 02/13/2006)
02/14/2006	2	CLERK'S NOTICE to plaintiff's counsel Evangelina Patricia Hernandez: A fee in the amount of \$250.00 is required and may be submitted electronically using the event New Case Credit Card Payments. Your case will not be filed until the fee is paid (Local Rule 77-121c). If you wish to pay the fee in cash, check or money order, you must do so within 48 hours of lodging your complaint. (Hutcheson, C) (Entered: 02/14/2006)
02/14/2006	<u>3</u>	NOTICE of APPEARANCE by Evangelina Patricia Hernandez on behalf of Equal Employment Opportunity Commission (Hernandez, Evangelina) (Entered: 02/14/2006)
02/15/2006	<u>4</u>	SUMMONS ISSUED as to *Kovacevich 5 Farms* with answer to complaint due within *20* days. Attorney *Evangelina Patricia Hernandez* *U.S. Equal Employment Opportunity Commission* *350 The Embarcadero, Ste. 500* *San Francisco, CA 94105*. (Carter-Ford, R) (Entered: 02/15/2006)
02/15/2006	<u>5</u>	CIVIL NEW CASE DOCUMENTS ISSUED; Initial Scheduling Conference set for 5/4/2006 at 09:15 AM in Courtroom 7 (SMS) before Magistrate Judge Sandra M. Snyder. (Attachments: # <u>1</u> Consent Forms # <u>2</u> VDRP Forms) (Carter-Ford, R) (Entered: 02/15/2006)
02/22/2006		TEXT MESSAGE ONLY: Clerk's Notice of Docket Correction – case has been reassigned from the docket of Magistrate Judge Sandra Snyder to the docket of Magistrate Judge Theresa Goldner. The case was reassigned because defendant's place of business is in Kern County which, therefore, should be heard before Judge Goldner. (Rooney, M) (Entered: 02/22/2006)
02/24/2006		MINUTE ORDER (TEXT Only): Initial Scheduling Conference set for MAY 4, 2006 at 09:30 AM in Bakersfield at 1200 Truxtun Ave., #120 (TAG) before Judge Theresa A. Goldner. NOTE: hearing was previously set before Judge Snyder for the same day but at 9:15am. (Herman, H) (Entered: 02/24/2006)
03/08/2006	<u>6</u>	STIPULATION to Extend Time to Respond to Complaint by Kovacevich 5 Farms. (Barsamian, Ronald) (Entered: 03/08/2006)
04/13/2006	<u>7</u>	ANSWER to COMPLAINT by Kovacevich 5 Farms.(Barsamian, Ronald) (Entered: 04/13/2006)
04/27/2006	<u>8</u>	JOINT SCHEDULING REPORT by Equal Employment Opportunity Commission. (Ordonio-Dixon, Linda) (Entered: 04/27/2006)
05/05/2006	9	MINUTES (TEXT ENTRY ONLY) for proceedings held before Judge Theresa A. Goldner: SCHEDULING CONFERENCE held on 5/4/2006. Court to issue Scheduling Conference Order. Plaintiffs Counsel E. Hernandez (telephonic) present. Defendants Counsel R. Barsamian and A. Raimondo (telephonic) present. (Leon Guerrero, A) (Entered: 05/05/2006)
06/09/2006	<u>10</u>	SCHEDULING ORDER: Rule 26 disclosures 5/19/2006. Expert Disclosure due by 3/2/2007. Supplemental Expert disclosure deadline 4/6/2007. Expert Discovery due by 6/15/2007. Non-expert discovery due by 4/6/2007. Non-Dispositive Motions due by 6/29/2007, hearing by 7/23/2007. Dispositive Motion due by 8/17/2007, hearing by 9/24/2007. Settlement Conference set for 11/16/2006 at 10:00 AM in Bakersfield at 1200 Truxtun (TAG) before Judge Goldner. Pretrial Conference set for 11/15/2007 at 10:00 AM in Bakersfield at 1200 Truxtun (TAG) before Judge Goldner. Jury Trial set for 1/22/2008 at 09:00 AM in Courtroom 1 (REC) before Senior Judge Coyle (jury trial – 15 days if bifurcated, 45 days otherwise) – signed by Judge Goldner on 6/9/2006. (Leon Guerrero, A) (Entered: 06/09/2006)
06/12/2006	<u>11</u>	ORDER by Chief Judge David F. Levi ORDERING this action REASSIGNED to Judge Oliver W. Wanger for all further proceedings due to the senior status of Judge Robert E. Coyle. (Kusamura, W) (Entered: 06/12/2006)

06/14/2006	<u>12</u>	CERTIFICATE of SERVICE by Equal Employment Opportunity Commission <i>Scheduling Order</i> (Hernandez, Evangelina) (Entered: 06/14/2006)
06/15/2006	<u>13</u>	STIPULATION TO AMEND ANSWER by Kovacevich 5 Farms. (Barsamian, Ronald) (Entered: 06/15/2006)
06/20/2006	<u>14</u>	MOTION to INTERVENE & for leave to intervene by Delia Casas, Myriam Cazares, Miriam Delgado, Patricia Delgado, Flor Rivera, TERRI SALCIDO. Attorney Olmos, Robert Tomas added. Motion Hearing set for 8/7/2006 at 10:00 AM in Bakersfield at 18th Street (TAG) before Magistrate Judge Theresa A. Goldner. (Attachments: # <u>1</u> Declaration Declaration Olmos & Exhibit A – Complaint in Intervention# <u>2</u> Points and Authorities Pts & Auths in Support of Motion to Intervene# <u>3</u> Proposed Order Proposed Order Granting Leave to Intervene)(Olmos, Robert) (Entered: 06/20/2006)
06/27/2006	<u>15</u>	STATEMENT of NON-OPPOSITION to MOTION re <u>14</u> MOTION to INTERVENE & for leave to intervene. (Ordonio-Dixon, Linda) (Entered: 06/27/2006)
06/29/2006	<u>16</u>	FIRST AMENDED ANSWER to COMPLAINT by Kovacevich 5 Farms.(Barsamian, Ronald) (Entered: 06/29/2006)
07/19/2006	<u>17</u>	STATEMENT of NON-OPPOSITION to MOTION re <u>14</u> MOTION to INTERVENE & for leave to intervene. OF DEFENDANT KOVACEVICH "5" FARMS (Barsamian, Ronald) (Entered: 07/19/2006)
07/20/2006	<u>18</u>	CERTIFICATE of SERVICE by Kovacevich 5 Farms. (Barsamian, Ronald) (Entered: 07/20/2006)
08/03/2006	<u>19</u>	ORDER VACATING HEARING on 8/7/2006 re <u>14</u> MOTION for Leave to INTERVENE – signed by Judge Goldner on 8/3/2006. (Leon Guerrero, A) (Entered: 08/03/2006)
08/07/2006	<u>20</u>	ORDER granting <u>14</u> Motion to Intervene signed by Judge Theresa A. Goldner on 8/7/2006. (Leon Guerrero, A) (Entered: 08/07/2006)
08/10/2006	<u>21</u>	JOINT SCHEDULING REPORT by Equal Employment Opportunity Commission. (Hernandez, Evangelina) (Entered: 08/10/2006)
08/10/2006	<u>22</u>	MOTION to BIFURCATE (JOINT) by Kovacevich 5 Farms. Motion Hearing set for 9/18/2006 at 10:00 AM in Bakersfield at 18th Street (TAG) before Magistrate Judge Theresa A. Goldner. (Attachments: # <u>1</u> Points and Authorities in Support of Joint Motion# <u>2</u> Proposed Order)(Barsamian, Ronald) (Entered: 08/10/2006)
08/11/2006	<u>23</u>	MINUTE ORDER (TEXT ENTRY ONLY) by Deputy Clerk ADVANCING Follow-up Scheduling Conference from 9:30 am to 9:00 am on 8/17/2006 before Judge Goldner in Bakersfield at 1200 Truxtun (TAG). Parties may appear telephonically. (Leon Guerrero, A) (Entered: 08/11/2006)
08/18/2006	<u>24</u>	MINUTES (Text Only) for proceedings held before Judge Goldner: TELEPHONIC Follow-up SCHEDULING CONFERENCE held on 8/17/2006. Court to issue Order. Plaintiffs Counsel E. Hernandez and Plaintiff Counsel in Intervention R. Olmos present. Defendants Counsel R. Barsamian present. (Leon Guerrero, A) (Entered: 08/18/2006)
08/18/2006	<u>25</u>	ORDER AMENDING SCHEDULING ORDER <u>10</u> – Intervenors to file and serve complaint by 8/18/2006 – signed by Judge Goldner on 8/18/2006. (Leon Guerrero, A) (Entered: 08/18/2006)
08/23/2006	<u>26</u>	INTERVENOR COMPLAINT by Delia Casas, Myriam Cazares, Miriam Delgado, Patricia Delgado, Flor Rivera and Terri Salcido by Delia Casas.(Olmos, Robert) (Entered: 08/23/2006)
09/07/2006	<u>27</u>	STIPULATION and PROPOSED ORDER re <u>22</u> MOTION to BIFURCATE (JOINT) by Kovacevich 5 Farms. (Barsamian, Ronald) (Entered: 09/07/2006)
09/12/2006	<u>28</u>	MOTION to DISMISS INTERVENORS' SECOND CLAIM FOR RELIEF by Kovacevich 5 Farms. Motion Hearing set for 10/16/2006 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Points and Authorities Points & Authorities in Support of Motion to Dismiss# <u>2</u> Declaration Declaration of Ronald H. Barsamian in Support of Motion to Dismiss# <u>3</u> Proposed Order Proposed

		Order on Moton to Dismiss# <u>4</u> Declaration Declaration of Anthony P. Raimondo in Support of Motion# <u>5</u> Declaration Exhibits A–G to Declaration of Anthony P. Raimondo)(Barsamian, Ronald) (Entered: 09/12/2006)
09/12/2006	<u>29</u>	EXHIBIT Attachment 1 to Memorandum of Points & Authorities in Support of Motion to Dismiss. (Barsamian, Ronald) (Entered: 09/12/2006)
09/15/2006	30	MINUTE ORDER (TEXT Only) signed by Judge Theresa A. Goldner on 9/15/2006: The Court hereby VACATES the Motion Hearing of 9/18/06 at 10:00am before Judge Goldner re: <u>22</u> Motion to Bifurcate, and the <u>27</u> Stipulation and Proposed Order re Motion to Bifurcate – MOTIONS are SUBMITTED on the pleadings. (Herman, H) (Entered: 09/15/2006)
09/19/2006	<u>31</u>	ORDER BIFURCATING LIABILITY AND DAMAGE PHASES OF TRIAL signed by Judge Theresa A. Goldner on 09/18/2006. (Lucas, L) (Entered: 09/19/2006)
09/27/2006	<u>32</u>	STIPULATION and PROPOSED ORDER TO CONTINUE SETTLEMENT CONFERENCE by Kovacevich 5 Farms. (Barsamian, Ronald) (Entered: 09/27/2006)
09/27/2006	33	MINUTE ORDER (TEXT ONLY) by Deputy Clerk RESETTING Settlement Conference from 11/16/2006 to 12/6/2006 at 10:00 AM in Bakersfield at 1200 Truxtun (TAG) before Judge Goldner. Counsel to submit confidential settlement conference reports directly to Judge Goldner no later than 11/29/2006. (Leon Guerrero, A) (Entered: 09/27/2006)
09/29/2006	<u>34</u>	PROPOSED ORDER [STIPULATED PROTECTIVE ORDER] by Kovacevich 5 Farms. (Barsamian, Ronald) (Entered: 09/29/2006)
10/02/2006	<u>35</u>	MEMORANDUM/RESPONSE in OPPOSITION. <i>Opposition to Defendant;s Motion to Dismiss Intervenors' Second Claim for Reliev</i> (Olmos, Robert) (Entered: 10/02/2006)
10/05/2006	<u>36</u>	STIPULATED PROTECTIVE ORDER – signed by Judge Theresa A. Goldner on 10/5/2006. (Leon Guerrero, A) (Entered: 10/05/2006)
10/06/2006	<u>37</u>	REPLY to RESPONSE to MOTION. <i>TO DISMISS INTERVENORS' SECOND CLAIM FOR RELIEF</i> (Barsamian, Ronald) (Entered: 10/06/2006)
10/11/2006	<u>38</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>28</u> MOTION to DISMISS <i>INTERVENORS' SECOND CLAIM FOR RELIEF. Intervenors' Request to File Supplemental Authority in Opposition re 28 Motion to Dismiss Intervenors' 2nd Claim for Relief</i> (Olmos, Robert) (Entered: 10/11/2006)
10/12/2006	<u>39</u>	REPLY/RESPONSE to to Intervenors' Request to File Supplemental Authority by Kovacevich 5 Farms re <u>38</u> Memorandum/Response in Opposition to Motion,. (Barsamian, Ronald) (Entered: 10/12/2006)
10/16/2006	40	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : MOTION TO DISMISS HEARING held on 10/16/2006. Matter argued and submitted. Plaintiffs Counsel J. Lynch / E. Hernandez present. Defendants Counsel A. Raimondo / R. Barsamian present. Court Reporter/CD Number: P. Crawford. (Robles, S) (Entered: 10/16/2006)
10/16/2006	<u>41</u>	MOTION to CERTIFY CLASS <i>Memorandum of Pts & Auths, Declaration of Tomas Olmos in Support</i> by Delia Casas. Motion Hearing set for 11/20/2006 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Olmos, Robert) (Entered: 10/16/2006)
10/27/2006	<u>42</u>	ORDER denying <u>28</u> Motion to Dismiss signed by Judge Oliver W. Wanger on 10/27/06. (Robles, S) (Entered: 10/27/2006)
11/03/2006	<u>43</u>	ANSWER to INTERVENOR COMPLAINT by Kovacevich 5 Farms.(Barsamian, Ronald) (Entered: 11/03/2006)
11/03/2006	<u>44</u>	STATEMENT of NON–OPPOSITION to MOTION re <u>41</u> MOTION to CERTIFY CLASS <i>Memorandum of Pts & Auths, Declaration of Tomas Olmos in Support. by Plaintiff EEOC</i> (Attachments: # <u>1</u> Affidavit of Linda Ordonio–Dixon# <u>2</u> Exhibit A through D to Ordonio–Dixon Decl.)(Ordonio–Dixon, Linda) (Entered: 11/03/2006)

11/03/2006	<u>45</u>	MEMORANDUM/RESPONSE in OPPOSITION. <i>TO MOTION FOR CLASS CERTIFICATION</i> (Barsamian, Ronald) (Entered: 11/03/2006)
11/06/2006	<u>46</u>	REPLY/RESPONSE to Plaintiff EEOC's Brief in Support of Motion for Class Certification by Kovacevich 5 Farms. (Barsamian, Ronald) (Entered: 11/06/2006)
11/13/2006	<u>47</u>	REPLY to RESPONSE to MOTION. <i>Plaintiff Intervenors' Reply to Defendant's Opposition to Motion for Class Certification</i> (Olmos, Robert) (Entered: 11/13/2006)
11/13/2006	<u>48</u>	REPLY to RESPONSE to MOTION. <i>Plaintiff EEOC's Response to Defendant's Reply to Non-Opposition in Support of Motion for Class Certification</i> (Ordonio-Dixon, Linda) (Entered: 11/13/2006)
11/14/2006	<u>49</u>	ORDER continuing oral argument re plaintiff/intervenors motion for class certification from 11/20/2006 to 12/11/2006 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger and directing plaintiff/intervenors to file supplemental reply brief signed by Judge Oliver W. Wanger on 11/14/2006. (Lucas, G) (Entered: 11/14/2006)
11/14/2006	<u>50</u>	REPLY to RESPONSE to MOTION. <i>FOR CLASS CERTIFICATION</i> (Barsamian, Ronald) (Entered: 11/14/2006)
11/14/2006	<u>51</u>	MOTION FOR SUMMARY ADJUDICATION by Kovacevich 5 Farms. Motion Hearing set for 1/8/2007 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Barsamian, Ronald) (Entered: 11/14/2006)
11/14/2006	<u>52</u>	MEMORANDUM by Kovacevich 5 Farms. <i>POINTS & AUTHORITIES IN SUPPORT OF MOTION FOR SUMMARY ADJUDICATION</i> (Barsamian, Ronald) (Entered: 11/14/2006)
11/14/2006	<u>53</u>	STATEMENT of UNDISPUTED FACTS by Defendant Kovacevich 5 Farms. (Barsamian, Ronald) (Entered: 11/14/2006)
11/14/2006	<u>54</u>	DECLARATION of ANTHONY P. RAIMONDO in SUPPORT OF. <i>MOTION FOR SUMMARY ADJUDICATION</i> (Barsamian, Ronald) (Entered: 11/14/2006)
11/14/2006	<u>55</u>	PROPOSED ORDER ON MOTION FOR SUMMARY ADJUDICATION. (Barsamian, Ronald) (Entered: 11/14/2006)
11/15/2006	56	MINUTE ORDER: TEXT ONLY ENTRY – In addition to electronic filing, a courtesy paper copy of all MOTIONS FOR SUMMARY JUDGMENT shall be submitted to the court. This includes a copy of all moving papers, responses and replies. All documents shall be properly fastened and tabbed. If the courtesy copies have already been sent, this notice may be disregarded. (Lucas, G) (Entered: 11/15/2006)
11/27/2006	<u>57</u>	REPLY to RESPONSE to MOTION. <i>Plaintiff Intervenors' Reply Brief in Response to Defendant's Opposition to Motion for Class Certification</i> (Attachments: # <u>1</u> Declaration Supplemental Declaration of R. Olmos in Support of Plaintiff Intervenors' Reply Brief in Response to Defendant's Opposition to Motion for Class Certification)(Olmos, Robert) (Entered: 11/27/2006)
11/29/2006	<u>58</u>	STIPULATION and PROPOSED ORDER Vacate Mediation Set for December 6th and Reset it for February 7th by Equal Employment Opportunity Commission. (Hernandez, Evangelina) (Entered: 11/29/2006)
11/30/2006	<u>59</u>	STIPULATION and ORDER re <u>58</u> . Settlement Conference reset for 2/7/2007 at 10:00 AM in Bakersfield at 1200 Truxtun (TAG) before Magistrate Judge Theresa A. Goldner – signed by Judge Theresa A. Goldner on 11/30/2006. Parties to submit individual Settlement Conference Statements directly to Judge Goldner no later than 1/31/2007 either by email to tagorders@caed.uscourts.gov or by mail to 1200 Truxtun Avenue, Suite 120, Bakersfield, CA, 93312. DO NOT ELECTRONICALLY FILE on CM/ECF. (Leon Guerrero, A) (Entered: 11/30/2006)
12/07/2006	60	MINUTE ORDER: TEXT ONLY ENTRY – The Motion to Certify Class Hearing currently set for 12/11/06 has been continued to 1/8/2007 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Robles, S) (Entered: 12/07/2006)
12/15/2006	<u>61</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>51</u> MOTION FOR SUMMARY ADJUDICATION. (Attachments: # <u>1</u> Affidavit of Manuel Hernandez# <u>2</u> Affidavit of Yolanda Hernandez# <u>3</u> Affidavit of Ordonio-Dixon# <u>4</u> Exhibit A through

		G)(Ordonio–Dixon, Linda) (Entered: 12/15/2006)
12/19/2006	<u>62</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>51</u> MOTION FOR SUMMARY ADJUDICATION. <i>Plaintiffs–Intervenors' Support of EEOC's Opposition</i> (Olmos, Robert) (Entered: 12/19/2006)
12/21/2006	<u>63</u>	REPLY to RESPONSE to MOTION. & <i>POINTS & AUTHORITIES IN SUPPORT OF SUMMARY ADJUDICATION MOTION</i> (Barsamian, Ronald) (Entered: 12/21/2006)
01/05/2007	<u>64</u>	STATEMENT of Errata by Plaintiff Equal Employment Opportunity Commission re <u>61</u> Memorandum/Response in Opposition to Motion. (Attachments: # <u>1</u> Affidavit of Ordonio–Dixon# <u>2</u> Exhibit)(Ordonio–Dixon, Linda) (Entered: 01/05/2007)
01/08/2007	65	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : MOTIONS RE CLASS CERTIFICATION AND SUMMARY JUDGMENT HEARING held on 1/8/2007. Motions argued. Any additional briefs to be filed by 1/16/2007. Matter then is submitted. Court Reporter/CD Number: ECRO. (Lucas, G) (Entered: 01/08/2007)
01/16/2007	<u>66</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>51</u> MOTION FOR SUMMARY ADJUDICATION. * <i>SUPPLEMENTAL BRIEF</i> (Ordonio–Dixon, Linda) (Entered: 01/16/2007)
01/16/2007	<u>67</u>	SUPPLEMENT by Kovacevich 5 Farms. <i>POINTS & AUTHORITIES IN SUPPORT OF MOTION FOR SUMMARY ADJUDICATION & IN OPPOSITION TO CLASS CERTIFICATION</i> (Barsamian, Ronald) (Entered: 01/16/2007)
02/08/2007	68	MINUTES (Text Only) for proceedings held before Judge Theresa A. Goldner: SETTLEMENT CONFERENCE held on 2/7/2007. At the request of parties and counsel, and in light of progress made towards settlement, Court agreed to conduct further settlement conference. Counsel to submit joint letter to Court proposing acceptable dates for further settlement conference. Plaintiffs Counsel W. Tamayo and E. Hernandez, Intervenors Counsel R. Tomas Olmos and M. Camacho, Defendants Counsel R. Barsamian and A. Raimondo present. (Leon Guerrero, A) (Entered: 02/08/2007)
02/14/2007	69	MINUTE ORDER: (TEXT ONLY) A status conference is set for March 27, 2007 at 08:30 AM in Courtroom 8 (LJO) before District Judge Lawrence J. O'Neill. The parties may appear at the conference by arranging a one line conference call and telephoning the court at 559–499–5680. At the conference, the parties should be prepared to discuss the status of the settlement negotiations(Lira, I) (Entered: 02/14/2007)
02/15/2007	70	MINUTE ORDER: (TEXT ONLY) A Status Conference set 3/27/07 at 8:30am before Judge O'Neill is VACATED. The status conference was issued in error. (Lira, I) (Entered: 02/15/2007)
02/23/2007	<u>71</u>	STIPULATION and PROPOSED ORDER Stipulation to Reset Scheduling Order by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration Dec. of Evangelina Hernandez)(Hernandez, Evangelina) (Entered: 02/23/2007)
03/07/2007	<u>72</u>	JOINT STIPULATION and ORDER TO VACATE AND RESET LITIGATION SCHEDULE signed by Judge Oliver W. Wanger on 3/6/07 ORDERING Expert Disclosure due by 10/5/2007. Supplemental Expert Disclosure due by 11/2/07. Discovery: (Non–Expert) due by 11/2/2007; (Expert) due by 12/21/07. Dispositive Motion due by 2/25/2008, Hearing 3/31/08. Non–Dispositive Motions due by 1/14/2008, Hearing 2/18/08. Jury Trial set for 6/17/2008 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Pretrial Conference set for 5/5/2008 at 11:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Carter–Ford, R) (Entered: 03/07/2007)
03/19/2007	<u>73</u>	MOTION to COMPEL <i>DISCOVERY RESPONSES FRCP 12(b)(6)</i> by Kovacevich 5 Farms. (Barsamian, Ronald) (Entered: 03/19/2007)
04/11/2007	<u>74</u>	MOTION to COMPEL <i>DISCOVERY RESPONSES</i> by Kovacevich 5 Farms. Motion Hearing set for 4/16/2007 at 10:00 AM in Bakersfield at Truxtun (TAG) before Magistrate Judge Theresa A. Goldner. (Attachments: # <u>1</u> Declaration Anthony P. Raimondo# <u>2</u> Declaration Anthony P. Raimondo (Supplemental)# <u>3</u> Declaration

		EEOC)(Barsamian, Ronald) (Entered: 04/11/2007)
04/13/2007	75	MINUTE ORDER (Text only) by Magistrate Judge Goldner. Local Rule 37–251(a) (discovery matters) requires a notice of motion and motion scheduling a hearing date at least 21 days from date of filing. In this instance, <u>73</u> , the moving party filed a motion to compel on March 19, 2007 but did not file a notice of motion, and the electronic filer did not enter a hearing date on the Court's electronic filing system when the motion was filed. A joint statement re discovery disagreement <u>74</u> , was filed on April 11, 2007, and at that time, the electronic filer entered on April 16, 2007, motion hearing date, by using an incorrect event screen. In light of the foregoing, the hearing on this matter is continued to 5/7/2007 at 01:30 PM in Bakersfield at 1300 18th Street (TAG) before Magistrate Judge Theresa A. Goldner. Counsel may appear telephonically via Court Call by making reservations(866) 582–6878 or appear in person.(Leon Guerrero, A) (Entered: 04/13/2007)
04/19/2007	<u>76</u>	ORDER DENIED without prejudice <u>51</u> MOTION FOR SUMMARY ADJUDICATION filed by Kovacevich 5 Farms, DEFFERED <u>41</u> MOTION to CERTIFY CLASS Memorandum of Pts & Auths, filed by Delia Casas, signed by Judge Oliver W. Wanger on 4/18/7. (Kusamura, W) (Entered: 04/19/2007)
05/08/2007	77	MINUTES (Text Only) for proceedings held before Judge Theresa A. Goldner: MOTION HEARING held on 5/7/2007 <u>73</u> MOTION to COMPEL DISCOVERY RESPONSES filed by Kovacevich 5 Farms is GRANTED except as to the portion of the motion to compel further responses to Interrogatory No. 2, which the Court takes under submission. Defendant's counsel to submit proposed order forthwith as to the portion of the motion granted; the Court to issue a written ruling as to the portion of the motion taken under submission.Plaintiffs Counsel E. Hernandez (telephonic) present. Defendants Counsel R. Barsamina, P. Moody present. Court Reporter/CD Number: ECRO. (Leon Guerrero, A) (Entered: 05/08/2007)
05/16/2007	<u>78</u>	PROPOSED ORDER RE DEFENDANT KOVACEVICH "5" FARMS' MOTION TO COMPEL DISCOVERY RESPONSES re <u>73</u> MOTION to COMPEL DISCOVERY RESPONSES FRCP 12(b)(6) by Kovacevich 5 Farms. (Barsamian, Ronald) (Entered: 05/16/2007)
06/04/2007	<u>79</u>	ORDER granting in part and denying in part defendant Kovacevich 5 Farms' Motion to Compel Discovery signed by Judge Theresa A. Goldner on 6/1/2007. (Leon Guerrero, A) (Entered: 06/04/2007)
06/26/2007	<u>80</u>	NOTICE by Kovacevich 5 Farms. OF CHANGE OF FIRM NAME (Barsamian, Ronald) (Entered: 06/26/2007)
09/20/2007	<u>81</u>	STIPULATION and PROPOSED ORDER Stipulation to Extend Court Deadlines by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration Evangelina Hernandez)(Hernandez, Evangelina) (Entered: 09/20/2007)
09/24/2007	<u>82</u>	Joint Stipulation and ORDER to VACATE litigation schedule and reset to later dates: Expert Disclosure 03/15/2008, Supplemental disclosure ddl 04/15/2008, Discovery of non–expert ddl 4/2/2008, Expert Discovery ddl 04/21/2008, Non–Dispositive Motions ddl 5/15/2008, Hearing 06/15/2008, Dispositive Motion ddl 6/26/2008, Hearing 07/30/2008, Pretrial Conference set for 9/5/2008 at 11:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger, Jury Trial set for 12/2/2008 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger, signed by Judge Oliver W. Wanger on 9/21/07. (Kusamura, W) (Entered: 09/24/2007)
12/04/2007	<u>83</u>	STIPULATION and PROPOSED ORDER by Equal Employment Opportunity Commission. (Hernandez, Evangelina) (Entered: 12/04/2007)
12/28/2007	<u>84</u>	STIPULATION and ORDER <u>83</u> . Further Settlement Conference set for 2/11/2008 at 10:00 AM in Courtroom 8 (TAG) in Fresno before Magistrate Judge Theresa A. Goldner signed by Judge Theresa A. Goldner on 12/28/2007. (Leon Guerrero, A) (Entered: 12/28/2007)
01/10/2008	<u>85</u>	SUBSTITUTION of ATTORNEY – PROPOSED, submitted by Equal Employment Opportunity Commission. (Hernandez, Evangelina) (Entered: 01/10/2008)
01/11/2008	86	CLERK'S NOTICE to plaintiff's counsel re <u>85</u> Substitution of Attorney – Proposed : In the future, to add and/or remove attorneys within your agency, please file a

		Designation of Counsel (this form is available on the court's website, and the event for filing it is in the Other Documents category). Attorney David Offen-Brown has been added to the docket in place of Jonathan Peck. (Hutcheson, C) (Entered: 01/11/2008)
02/12/2008	88	MINUTES (Text Only) for proceedings held before Magistrate Judge Theresa A. Goldner: SETTLEMENT CONFERENCE held on 2/11/2008. Case did not settle. Plaintiffs Counsel E. Hernandez, W. Tamayo present. Intervenor Plaintiffs Counsel R. Olmos, M. Camacho present. Defendants Counsel R. Barsamian, P. Moody present. (Leon Guerrero, A) (Entered: 02/12/2008)
03/10/2008	<u>89</u>	NOTICE of Unavailability of Counsel by Equal Employment Opportunity Commission. (Hernandez, Evangelina) (Entered: 03/10/2008)
03/12/2008	<u>90</u>	STIPULATION and PROPOSED ORDER To Vacate And Reset Expert Deadlines by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration Evangelina Hernandez)(Hernandez, Evangelina) (Entered: 03/12/2008)
03/12/2008	<u>91</u>	STIPULATION and PROPOSED ORDER by Equal Employment Opportunity Commission. (Hernandez, Evangelina) (Entered: 03/12/2008)
03/12/2008	93	CLERK'S NOTICE of DOCKET CORRECTION: Document <u>90</u> , Stipulation and Proposed Order, was filed in error. Please disregard. Document correctly refiled as <u>92</u> (Robles, S) (Entered: 03/13/2008)
03/13/2008	<u>92</u>	STIPULATION and PROPOSED ORDER by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration Evangelina Hernandez)(Hernandez, Evangelina) (Entered: 03/13/2008)
03/17/2008	<u>94</u>	Joint Stipulation Not to Use Claimant Flor Rivera to Establish Liability Order; ORDER signed by Judge Oliver W. Wanger on 3/13/2008. (Esteves, C) (Entered: 03/17/2008)
03/17/2008	<u>95</u>	Jiont Stipulation to Vacate Litigation Schedule and Reset Expert Deadlines to Later Dates and ORDER signed by Judge Oliver W. Wanger on 3/14/2008. (Expert Disclosure due 4/8/2008; Supplemental Expert Disclosure due 5/5/2008; Expert Discovery due 5/15/2008.) (Esteves, C) (Entered: 03/17/2008)
06/19/2008	96	MINUTE ORDER (Text only) by Deputy Clerk: TELEPHONIC STATUS CONFERENCE re Settlement is SET for 6/25/2008 at 09:00 AM in Bakersfield at 1200 Truxtun (TAG) before Magistrate Judge Theresa A. Goldner. Counsel to telephone 661-326-6620 on a one-line conference call. (Leon Guerrero, A) (Entered: 06/19/2008)
06/25/2008	97	MINUTES (Text Only) for proceedings held before Magistrate Judge Theresa A. Goldner: TELEPHONIC STATUS CONFERENCE re Settlement held on 6/25/2008. Further Settlement Conference set for 7/11/2008 at 10:00 AM U.S. District Court, Fresno in Courtroom 8 (TAG) before Magistrate Judge Theresa A. Goldner. No settlement conference statements required. Plaintiffs Counsel E. Hernandez, T. Olmos, M. Camacho present. Defendants Counsel R. Barsamian, P. Moody present. Court Reporter/CD Number: ECRO. (Leon Guerrero, A) (Entered: 06/25/2008)
06/26/2008	<u>98</u>	MOTION for SUMMARY JUDGMENT by Kovacevich 5 Farms. Motion Hearing set for 7/30/2008 at 01:30 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Points and Authorities in Support of Second Motion for Summary Adjudication, # <u>2</u> Declaration of Stacy R. Lucas in Support of Second Motion for Summary Adjudication, # <u>3</u> Exhibit A to Declaration of Stacy R. Lucas, # <u>4</u> Exhibit B to Declaration of Stacy R. Lucas, # <u>5</u> Exhibit C to Declaration of Stacy R. Lucas, # <u>6</u> Proposed Order, # <u>7</u> Statement of Undisputed Facts)(Barsamian, Ronald) (Entered: 06/26/2008)
06/27/2008	99	MINUTE ORDER: (TEXT ONLY ENTRY) As Judge Wanger hears his civil motions on Mondays at 10:00 a.m., the Motion for Summary Judgment <u>98</u> currently set for 7/30/08, has been continued to the next available Monday. Motion for Summary Judgment Hearing RESET to 9/15/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. The Pretrial Conference currently set for 9/5/08 has been RESET for 10/20/2008 at 11:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Timken, A) (Entered: 06/27/2008)

07/11/2008	100	MINUTES (Text Only) for proceedings held before Magistrate Judge Theresa A. Goldner on 7/11/2008 in Fresno, California: SETTLEMENT CONFERENCE HELD – CASE DID NOT SETTLE. Plaintiffs Counsel W. Taymayo and E. Hernandez present. Intervenor Counsel T. Olmos and H. Camacho present. Defendants Counsel R. Barsamian and P. Moody present. Court Reporter/CD Number: N/A. (Vasquez, J) (Entered: 07/11/2008)
08/15/2008	<u>101</u>	MOTION to VACATE <i>Summary Judgment Hearing and Pretrial and Reset Them For A Different Date</i> by Equal Employment Opportunity Commission. Motion Hearing set for 9/15/2008 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration Evangelina Hernandez)(Hernandez, Evangelina) (Entered: 08/15/2008)
08/18/2008	102	MINUTE ORDER: ***TEXT ONLY ENTRY*** The docket indicates that you docketed a proposed order, <u>101</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: 08/18/2008)
08/20/2008	<u>103</u>	STIPULATION and ORDER GRANTING MOTION to VACATE Hearing on Summary Judgment and Pretrial and Reset Them For A Different Date <u>101</u> . Defendant's Motion for Summary Judgment <u>98</u> currently set for 9/15/08 is continued to 10/22/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. The Court also continues the pretrial conference currently set for 10/20/08 to 11/3/2008 at 11:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger; order signed by Judge Oliver W. Wanger on 8/19/08. (Rooney, M) (Entered: 08/20/2008)
08/21/2008	104	MINUTE ORDER: As Judge Wanger hears civil motions on Mondays at 10:00, the motion for summary judgment set for 10/22 in document <u>103</u> has been re-set to 10/20/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Kusamura, W) (Entered: 08/21/2008)
08/26/2008	105	MINUTE ORDER (Text only) as approved by Magistrate Judge Goldner: By request of the parties in this case, the court sets a Further Settlement Conference for 9/22/2008 at 01:00 PM, Fresno USDC, Courtroom 8 (TAG) before Magistrate Judge Theresa A. Goldner. (Leon Guerrero, A) (Entered: 08/26/2008)
09/23/2008	106	MINUTES (Text Only) for proceedings held before Magistrate Judge Theresa A. Goldner: SETTLEMENT CONFERENCE conducted on 9/22/2008; CASE SETTLED subject to approval of District Judge Wanger; counsel to complete the settlement and file stipulation re settlement by 10/20/2008; counsel to electronically file stipulation re pending summary judgment motion <u>98</u> for District Judge Wanger's consideration, to be filed by 9/24/2008, and lodging a copy to Judge Wanger's electronic mailbox. Plaintiffs Counsel W. Tamayo, E. Hernandez present. Plaintiff-Intervenor Counsel M. Camacho, R. Olmos. Defendants Counsel R. Barsamian, P. Moody present. Court Reporter/CD Number: ECRO. (Leon Guerrero, A) (Entered: 09/23/2008)
10/15/2008	<u>107</u>	MOTION to VACATE <i>the hearing for the Defendants pending motion for summary judgment scheduled to be heard on October 20, 2008 and reset it November 24, 2008.</i> by Equal Employment Opportunity Commission. Motion Hearing set for 11/24/2008 at 10:00 AM in Courtroom 8 (WMW) before Judge Oliver W. Wanger. (Hernandez, Evangelina) (Entered: 10/15/2008)
10/17/2008	<u>108</u>	ORDER on JOINT STIPULATION to Vacate the Hearing for Defendant's Motion for Summary Judgment and Reset it for 30 Days Signed by Judge Oliver W. Wanger on 10/16/2008. Defendants pending motion for summary judgment scheduled to be heard on October 20, 2008 is reset to November 24, 2008. (Arellano, S.) (Entered: 10/17/2008)
10/29/2008	109	MINUTE ORDER: ***TEXT ONLY ENTRY*** Pursuant to 106 the minute order from the 9/23/2008 settlement conference indicating this matter has settled and settlement documents were to be filed with the Court by 10/20/2008, a Status Conference has been set for 11/21/2008 at 08:15 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger to advise the Court why settlement documents have not been filed. If settlement documents are filed by 11/14/2008, the status conference will be taken off calendar. If counsel do not file their settlement documents, counsel are to file

		a joint status report 3 court days prior to the status conference. The 11/3/2008 pretrial conference is vacated. (Timken, A) (Entered: 10/29/2008)
11/14/2008	<u>110</u>	MOTION for EXTENSION 2 Business Day Extension to File Settlement Documents by Equal Employment Opportunity Commission. Motion Hearing set for 11/21/2008 at 08:15 AM in Courtroom 8 (WMW) before Judge Oliver W. Wanger. (Hernandez, Evangelina) (Entered: 11/14/2008)
11/18/2008	<u>111</u>	ORDER granting motion to extend time to file settlement documents from 11/14/2008 to 11/18/2008. Order signed by Judge Oliver W. Wanger on 11/17/2008. (Timken, A) (Entered: 11/18/2008)
11/18/2008	<u>112</u>	MOTION for EXTENSION THE TIME AND RESET IT TO NOVEMBER 26 2008, VACATE THE STATUS CONFERENCE OF NOVEMBER 21, 2008 AND RESET IT TO NOVEMBER 28, 2008 by Equal Employment Opportunity Commission. Motion Hearing set for 12/1/2008 at 08:15 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Declaration Evangelina Hernandez)(Hernandez, Evangelina) (Entered: 11/18/2008)
11/19/2008	113	MINUTE ORDER: ***TEXT ONLY ENTRY*** As the deadline to file settlement documents has been extended through 11/18/2008, the Status Conference currently set for 11/21/2008 has been continued to 12/1/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. The status conference will be vacated upon receipt of the settlement documents. (Timken, A) (Entered: 11/19/2008)
11/20/2008	114	MINUTE ORDER: ***TEXT ONLY ENTRY*** As the parties have notified this Court that this matter has settled, the hearings re the motion for summary judgment currently set for 11/24/2008 and the jury trial currently set for 12/2/2008 are vacated. The 12/1/2008 status conference remains set and will be vacated upon receipt of the parties settlement documents. (Timken, A) (Entered: 11/20/2008)
11/26/2008	<u>115</u>	PROPOSED ORDER Consent Decree by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Notice to be Posted on Premises)(Hernandez, Evangelina) (Entered: 11/26/2008)
11/26/2008	116	MINUTE ORDER: ***TEXT ONLY ENTRY*** As the parties have submitted their consent decree, the status conference set for 12/1/2008 has been vacated. (Timken, A) (Entered: 11/26/2008)
12/01/2008	<u>117</u>	CONSENT DECREE signed by Judge Oliver W. Wanger on 11/26/2008. This Consent Decree shall terminate five (5) years from the date of its entry by the Court, unless the Commission petitions this Court for an extension of the Decree because of non-compliance by K-5. (Arellano, S.) (Entered: 12/01/2008)