

General Docket
United States Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 09-16640 **Docketed:** 08/04/2009
Nature of Suit: 1442 Jobs **Termed:** 04/18/2011
EEOC v. GNVL Corporation
Appeal From: U.S. District Court for Nevada, Las Vegas
Fee Status: USA - No Fee Req

Case Type Information:
1) civil
2) united states
3) null

Originating Court Information:
District: 0978-2 : [2:06-cv-01225-BES-PAL](#)
Court Reporter: Margaret Ellen Griener, Official Court Reporter
Trial Judge: Brian E. Sandoval, District Judge
Date Filed: 09/29/2006
Date Order/Judgment: 06/02/2009 **Date Order/Judgment EOD:** 06/02/2009 **Date NOA Filed:** 08/03/2009 **Date Rec'd COA:** 08/03/2009

Prior Cases:
None

Current Cases:
None

<p>U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION Plaintiff - Appellant,</p>	<p>Gail S. Coleman, Attorney Direct: 202-663-4055 [COR LD NTC Government] EEOC - U.S. Equal Employment Opportunity Commission 5SW24L Firm: 202-663-4900 131 M Street, NE Washington, DC 20507</p> <p>Connie K. Liem Direct: 619-557-7282 [COR LD NTC Government] EEOC Firm: 619-557-7282 555 W. Beech Suite 504 San Diego, CA 92101</p> <p>Anna Y. Park Direct: 213-894-1080 [COR NTC Government] U.S. Equal Employment Opportunity Commission 4th Floor 255 East Temple Street Los Angeles, CA 90012</p> <p>Carolyn L. Wheeler Direct: 202-663-4739 [COR NTC Government] EEOC - U.S. Equal Employment Opportunity Commission 5NW20P Firm: 202-663-4900 131 M Street, NE Washington, DC 20507</p>
<p>v.</p>	
<p>GNVL CORPORATION, DBA Golden Nugget Hotel and Casino Defendant - Appellee,</p>	<p>Richard Sheehy, Attorney Direct: 713-951-1111 [COR LD NTC Retained]</p>

Sheehy Ware and Pappas PC
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U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiff - Appellant,

v.

GNVL CORPORATION, DBA Golden Nugget Hotel and Casino,

Defendant - Appellee.

08/04/2009 [1](#) 5 pg, 267.32 KB DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. SEND CADS: Yes. The schedule is set as follows: CADS due by Attorney Connie Liem, Attorney due on 08/03/2009. Transcript order for Appellant Equal Employment Opportunity Commission due 09/02/2009. Transcript due for Orig Clerk USDC, Las Vegas on 10/02/2009. Certificate of record due 10/09/2009. Appellant Equal Employment Opportunity Commission opening brief due 11/18/2009. Appellee GNVL Corporation answering brief due 12/18/2009. Appellant's optional reply brief is due 14 days after service of the answering brief. [7014913] (GR) [Entered: 08/04/2009 10:26 AM]

08/04/2009 [2](#) 4 pg, 44.06 KB Filed representation notice of Connie Liem, Anna Park, Carolyn Wheeler. [7014955] (GR) [Entered: 08/04/2009 10:38 AM]

08/04/2009 3 Terminated Edward Perkins for GNVL Corporation in 09-16640, Richard Sheehy for GNVL Corporation in 09-16640 [7014960] (GR) [Entered: 08/04/2009 10:38 AM]

08/06/2009 [4](#) 20 pg, 996.7 KB Filed (ECF) Appellant EEOC Civil Appeals Docketing Statement (Form 6). Date of service: 08/06/2009. [7018639] (Wheeler, Carolyn) [Entered: 08/06/2009 01:36 PM]

08/07/2009 [5](#) 3 pg, 613.63 KB Filed (ECF) Appellant EEOC Civil Appeals Docketing Statement (Form 6). Date of service: 08/07/2009. [7019293] (Wheeler, Carolyn) [Entered: 08/07/2009 07:20 AM]

08/18/2009 [6](#) 9 pg, 67.27 KB Filed order MEDIATION (EPM): This case is under consideration for inclusion in the Mediation Program. See Fed. R. App. P. 33 and Ninth Cir. R. 33-1. A settlement assessment conference will be held by telephone on September 15, 2009, at 11:00 a.m. PACIFIC (San Francisco) Time. The briefing schedule previously set by the court remains in effect. [7030585] (WL) [Entered: 08/18/2009 08:49 AM]

08/26/2009 [7](#) 1 pg, 208.82 KB Filed (ECF) notice of appearance of for Appellee GNVL Corporation. Date of service: 08/26/2009. [7040690] (Sheehy, Richard) [Entered: 08/26/2009 09:02 AM]

08/26/2009 8 Attorney Scott M. Abbott in 09-16640 substituted by Attorney Richard Sheehy in 09-16640 [7040701] (EL) [Entered: 08/26/2009 09:06 AM]

09/02/2009 [9](#) 2 pg, 487.21 KB Filed (ECF) notice of appearance of Gail S. Coleman for Appellant EEOC. Date of service: 09/02/2009. [7048684] (Coleman, Gail) [Entered: 09/02/2009 08:03 AM]

09/02/2009 10 Added attorney Gail S. Coleman for EEOC. [7048728] (JFF) [Entered: 09/02/2009 08:54 AM]

09/03/2009 [11](#) 1 pg, 37.56 KB Filed certificate of record on appeal. RT filed in DC None [7051465] (JFF) [Entered: 09/03/2009 03:01 PM]

09/16/2009 [12](#) 1 pg, 24.01 KB Filed order MEDIATION (LJE): On September 15, 2009, a telephone conference was held with Circuit Mediator Lisa J. Evans. The court will initiate a further assessment conference by telephone on September 30, 2009, at 11:30 a.m. PACIFIC (San Francisco) Time/2:30 p.m. Eastern Time. Counsel are requested to contact the undersigned should circumstances develop that warrant further discussions prior to the next scheduled conference. [7063486] (WL) [Entered: 09/16/2009 11:11 AM]

09/30/2009 [13](#) 2 pg, 24.93 KB Filed order MEDIATION (LJE): On September 30, 2009, a telephone conference was held with Circuit Mediator Lisa J. Evans. The court will initiate a further assessment conference by telephone with appellee's counsel only on October 5, 2009, at 11:30 a.m. PACIFIC (San Francisco) Time. The court will initiate a further assessment conference by telephone with both counsel on October 15, 2009, at 11:30 a.m. PACIFIC (San Francisco) Time. Counsel are requested to contact the undersigned should circumstances develop that warrant further discussions prior to the next scheduled conferences. [7080075] (WL) [Entered: 09/30/2009 03:12 PM]

10/15/2009 [14](#) 1 pg, 23.24 KB Filed order MEDIATION (LJE): At the request of counsel, the follow-up conference scheduled for October 15, 2009, is rescheduled to October 22, 2009, at 11:30 a.m. PACIFIC (San Francisco) Time. Counsel are requested to contact the undersigned should circumstances develop that warrant further discussions prior to the scheduled conference. [7096624] (WL) [Entered: 10/15/2009 03:08 PM]

10/22/2009 [15](#) 1 pg, 22.91 KB Filed order MEDIATION (LJE): Due to a conflict that has arisen for the Circuit Mediator, the further assessment conference originally scheduled for October 22, 2009, is rescheduled to November 9, 2009, at 11:00 a.m. PACIFIC (San Francisco) Time/2:00 p.m. Eastern Time. Counsel are requested to contact the undersigned should circumstances develop that warrant further discussions prior to the scheduled conference. [7104502] (WL) [Entered: 10/22/2009 01:46 PM]

11/09/2009 [16](#) 2 pg, 24.49 KB Filed order MEDIATION (LJE): On November 9, 2009, a telephone conference was held with Circuit Mediator Lisa J. Evans. The briefing schedule previously set by the court is reset as follows: appellant shall file an opening brief on or before January 22, 2010; appellee shall file an answering brief on or before February 22, 2010; appellant may file an optional reply brief within fourteen (14) days from the service date of the answering brief. The court has determined that this appeal will not be selected for inclusion in the Mediation Program. [7124752] (WL) [Entered: 11/09/2009 04:15 PM]

01/22/2010 [17](#) 34 pg, 94.74 KB Submitted (ECF) Opening brief for review. Submitted by Appellant EEOC. Date of service: 01/22/2010. [7203933] (Coleman, Gail) [Entered: 01/22/2010 08:12 AM]

01/22/2010 [18](#) Filed clerk order: The opening brief [\[17\]](#) submitted by EEOC is filed. Within 7 days of the filing of this order,

1 pg, 27.12 KB filer is ordered to file 7 copies of the brief in paper format, with a blue cover, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. [7205517] (FT) [Entered: 01/22/2010 04:04 PM]

01/25/2010 19 Filed Appellant EEOC excerpts of record in 1 volumes. Served on 1/22/10 [7210361] (FT) [Entered: 01/27/2010 02:13 PM]

02/01/2010 20 Received 7 paper copies of Opening brief [17](#) filed by EEOC. One copy to Case Files, the remainder to Records. [7216878] (YA) [Entered: 02/02/2010 01:30 PM]

02/12/2010 21 10-day (TEN-day) oral extension by phone of time to file Appellee GNVL Corporation brief. Appellee GNVL Corporation answering brief due 03/04/2010. The optional reply brief is due 14 days after service of the appellee brief. [7229826] (TH) [Entered: 02/12/2010 08:35 AM]

03/04/2010 [22](#) Submitted (ECF) Answering brief for review. Submitted by Appellee GNVL Corporation. Date of service: 03/04/2010. [7253365] (Sheehy, Richard) [Entered: 03/04/2010 02:44 PM]
41 pg, 4.15 MB

03/04/2010 [23](#) Filed (ECF) Appellee GNVL Corporation Correspondence: Letter regarding extension to file answering brief. Date of service: 03/04/2010 [7253373] (Sheehy, Richard) [Entered: 03/04/2010 02:46 PM]
1 pg, 200.96 KB

03/05/2010 [24](#) Filed clerk order: The answering brief [22](#) submitted by GNVL Corporation is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, with a red cover, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. [7254685] (FT) [Entered: 03/05/2010 12:48 PM]
2 pg, 81.53 KB

03/08/2010 25 Filed Appellee GNVL Corporation supplemental excerpts of record on appeal in 1 volumes. [7260970] (FT) [Entered: 03/10/2010 04:38 PM]

03/10/2010 26 Received 7 paper copies of Answering brief [22](#) filed by GNVL Corporation. [7261177] (SD) [Entered: 03/11/2010 09:03 AM]

03/17/2010 [27](#) Submitted (ECF) Reply brief for review. Submitted by Appellant EEOC. Date of service: 03/17/2010. [7268642] (Coleman, Gail) [Entered: 03/17/2010 09:11 AM]
28 pg, 711.05 KB

03/19/2010 [28](#) Filed clerk order: The reply brief [27](#) submitted by EEOC is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, with a gray cover, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. [7272967] (FT) [Entered: 03/19/2010 03:15 PM]
2 pg, 81.54 KB

03/29/2010 29 Received 7 paper copies of Reply brief [27](#) filed by EEOC. [7283395] (SD) [Entered: 03/30/2010 12:14 PM]

09/22/2010 [30](#) Notice of Oral Argument on NOVEMBER 4, 2010 Calendar. Please return ACKNOWLEDGMENT OF HEARING NOTICE form to: SAN FRANCISCO Office. Attention: The Notice of Docket Activity may not list your case number. Please open attached documents to view details about your case. [7483115] (AM) [Entered: 09/22/2010 10:57 AM]
6 pg, 52.99 KB

09/27/2010 [31](#) Filed (ECF) Appellee GNVL Corporation Motion to continue hearing of case. Date of service: 09/27/2010. [7488453] (Sheehy, Richard) [Entered: 09/27/2010 03:50 PM]
6 pg, 542.72 KB

10/08/2010 [32](#) Filed clerk order (Deputy Clerk:WL): The motion to continue oral argument is granted. The hearing scheduled for November 4, 2010 in San Francisco, California is vacated and shall be rescheduled for oral argument on the next available calendar. [7502063] (WL) [Entered: 10/08/2010 10:25 AM]
1 pg, 31.21 KB

01/03/2011 [34](#) Notice of Oral Argument on FEBRUARY Calendar. Please return ACKNOWLEDGMENT OF HEARING NOTICE form to: SAN FRANCISCO Office. Attention: The Notice of Docket Activity may not list your case number. Please open attached documents to view details about your case. [7597508] (JZ) [Entered: 01/03/2011 12:12 PM]
7 pg, 91.5 KB

02/09/2011 [35](#) Filed (ECF) Appellant EEOC Correspondence: Errata sheet for Reply Brief. Date of service: 02/09/2011 [7641280] (Coleman, Gail) [Entered: 02/09/2011 10:46 AM]
1 pg, 35.13 KB

02/14/2011 36 ARGUED AND SUBMITTED TO DAVID R. THOMPSON, RICHARD C. TALLMAN and ARTHUR J. TARNOW. [7647151] (LBS) [Entered: 02/14/2011 11:22 AM]

02/18/2011 [37](#) Filed (ECF) Appellee GNVL Corporation citation of supplemental authorities. Date of service: 02/18/2011. [7654358] (Sheehy, Richard) [Entered: 02/18/2011 01:23 PM]
2 pg, 444.77 KB

02/22/2011 [38](#) Filed (ECF) Appellant EEOC citation of supplemental authorities. Date of service: 02/22/2011. [7655915] (Coleman, Gail) [Entered: 02/22/2011 12:51 PM]
2 pg, 79.48 KB

03/10/2011 [39](#) Filed clerk order (Deputy Clerk:WL): Due to the death of Judge Thompson, Judge Bea has been drawn to replace him on the panel. [7675937] (WL) [Entered: 03/10/2011 12:53 PM]
1 pg, 22.13 KB

04/18/2011 [40](#) FILED MEMORANDUM DISPOSITION (RICHARD C. TALLMAN, CARLOS T. BEA and ARTHUR J. TARNOW) AFFIRMED IN PART, REVERSED IN PART AND REMANDED. Each party shall bear its own costs on appeal. FILED AND ENTERED JUDGMENT. [7719863] (PH) [Entered: 04/18/2011 09:54 AM]
11 pg, 402.11 KB

06/10/2011



[41](#)

MANDATE ISSUED.(RCT, CTB and AJT) [7781286] (TB) [Entered: 06/10/2011 11:04 AM]

1 pg, 82.04 KB

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