

CLOSED

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CIVIL DOCKET FOR CASE #: 4:11-cv-03425**

Equal Employment Opportunity Commission v. Bass Pro
Outdoor World, LLC

Assigned to: Judge Keith P Ellison

Lead case: [4:11-mc-00190](#)

Member case: ([View Member Case](#))

Related Case: [4:11-mc-00190](#)

Case in other court: U.S. District Court Southern District of
Texas, 4

Cause: 42:2000e Job Discrimination (Employment)

Plaintiff

**Equal Employment Opportunity
Commission**

represented by **Alexandra Navarre-Davis**
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V.

Defendant

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Defendant

Bass Pro, Inc.
TERMINATED: 10/25/2012

represented by **Michael W Johnston**
(See above for address)
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ATTORNEY TO BE NOTICED

Carolyn Cain Burch
(See above for address)
TERMINATED: 05/27/2015
ATTORNEY TO BE NOTICED

Samuel M Matchett
(See above for address)

TERMINATED: 09/19/2016

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represented by **Carolyn Cain Burch**
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 TERMINATED: 05/27/2015
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Samuel M Matchett
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 TERMINATED: 09/19/2016

Date Filed	#	Docket Text
09/21/2011	<u>1</u>	COMPLAINT against Bass Pro Outdoor World, LLC filed by Equal Employment Opportunity Commission.(Bowne, Timothy) (Entered: 09/21/2011)
09/22/2011	<u>2</u>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 12/30/2011 at 02:30 PM in Room 3716 before Judge Keith P Ellison.(Signed by Judge Keith P Ellison) Parties notified.(mfoley) (Entered: 09/22/2011)
09/22/2011	<u>3</u>	Notice Regarding Initial Conference.(Signed by Judge Keith P Ellison) Parties notified.(mfoley) (Entered: 09/22/2011)
09/26/2011	<u>4</u>	MOTION for Gregory T. Juge to Appear Pro Hac Vice by Equal Employment Opportunity Commission, filed. Motion Docket Date 10/17/2011. (Bowne, Timothy) (Entered: 09/26/2011)
09/28/2011	<u>5</u>	ORDER granting <u>4</u> Motion to Appear Pro Hac Vice for Gregory T. Juge.(Signed by Judge Keith P Ellison) Parties notified.(bthomas,) (Entered: 09/28/2011)
09/28/2011	<u>6</u>	CERTIFICATE OF INTERESTED PARTIES by Equal Employment Opportunity Commission, filed.(Bowne, Timothy) (Entered: 09/28/2011)
10/14/2011	<u>7</u>	MOTION for Robert D. Rose to Appear Pro Hac Vice by Equal Employment Opportunity Commission, filed. Motion Docket Date 11/4/2011. (Bowne, Timothy) (Entered: 10/14/2011)

10/18/2011	<u>8</u>	ORDER granting <u>7</u> Motion to Appear Pro Hac Vice as to Robert D. Rose.(Signed by Judge Keith P Ellison) Parties notified.(chorace) (Entered: 10/18/2011)
11/21/2011	<u>9</u>	Joint MOTION for Extension of Time to Answer or Otherwise Respond to Complaint(Motion Docket Date 12/12/2011.), Joint MOTION Set Briefing Schedule by Bass Pro Outdoor World, LLC, Equal Employment Opportunity Commission, filed. (Attachments: # <u>1</u> Proposed Order)(Johnston, Michael) (Entered: 11/21/2011)
11/22/2011	<u>10</u>	MOTION for Konrad Batog to Appear Pro Hac Vice by Equal Employment Opportunity Commission, filed. Motion Docket Date 12/13/2011. (Bowne, Timothy) (Entered: 11/22/2011)
11/28/2011	<u>11</u>	NOTICE of Resetting. Parties notified. Initial Conference set for 1/18/2012 at 02:30 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe) (Entered: 11/28/2011)
11/28/2011	<u>12</u>	ORDER granting <u>9</u> Motion for Extension of Time; granting <u>9</u> Motion.(Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 11/29/2011)
11/29/2011	<u>13</u>	ORDER granting <u>10</u> Motion to Appear Pro Hac Vice.(Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 11/29/2011)
12/01/2011	<u>14</u>	NOTICE of Appearance by William R. Burns on behalf of Bass Pro Outdoor World, LLC, filed. (Burns, William) (Entered: 12/01/2011)
12/05/2011	<u>15</u>	NOTICE of Appearance by Samuel M. Matchett on behalf of Bass Pro Outdoor World, LLC, filed. (Matchett, Samuel) (Entered: 12/05/2011)
12/21/2011	<u>16</u>	Unopposed MOTION to Reschedule Initial Case Management Conference and Deadline for Discovery Plan and Case Management Order by Bass Pro Outdoor World, LLC, filed. Motion Docket Date 1/11/2012. (Attachments: # <u>1</u> Proposed Order)(Johnston, Michael) (Entered: 12/21/2011)
12/22/2011	<u>17</u>	ORDER granting <u>16</u> Motion.(Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 12/22/2011)
12/22/2011		***Set/Reset Deadlines/Hearings: Initial Conference set for 2/13/2012 at 11:30 AM in Courtroom 3A Houston before Judge Keith P Ellison (sloewe) (Entered: 12/22/2011)
01/05/2012	<u>18</u>	MOTION to Dismiss <u>1</u> Complaint by Bass Pro Outdoor World, LLC, filed. Motion Docket Date 1/26/2012. (Attachments: # <u>1</u> Brief, # <u>2</u> Proposed Order, # <u>3</u> Appendix, # <u>4</u> Exhibit A – Commissioner's Charge, # <u>5</u> Exhibit B – EEOC's Draft Discovery Plan, # <u>6</u> Exhibit C – EEOC v. Carolls, # <u>7</u> Exhibit D – EEOC v. Carolls, # <u>8</u> Exhibit E – EEOC v. Custom Cos., # <u>9</u> Exhibit F – EEOC v. Freeman, # <u>10</u> Exhibit G – EEOC v. JBS, # <u>11</u> Exhibit H – EEOC v. JBS, # <u>12</u> Exhibit I – EEOC v. O'Reilly Auto, # <u>13</u> Exhibit J – EEOC v. SDI, # <u>14</u> Exhibit K – EEOC v. Service Temps, # <u>15</u> Exhibit L – EEOC v. UPS, # <u>16</u> Exhibit M – Jackson v. FedEx, # <u>17</u> Exhibit N – Jenkins v. County of Hennepin, # <u>18</u> Exhibit O – Landovazo v. The Toro Co., # <u>19</u> Exhibit P – Probado Techs. v. Smartnet, # <u>20</u> Exhibit Q – Puente v. Ridge, # <u>21</u> Exhibit R – Restrepo v. Wells Fargo, # <u>22</u> Exhibit S – Richards v. JRK Prop., # <u>23</u> Exhibit T – Richards v. JRK Prop., # <u>24</u> Exhibit U – Rubinow v. Boehringer, # <u>25</u> Exhibit V – Turner v. Pavlicek)(Johnston, Michael) (Entered: 01/05/2012)
01/05/2012	<u>19</u>	MOTION to Stay <i>Discovery</i> by Bass Pro Outdoor World, LLC, filed. Motion Docket Date 1/26/2012. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Appendix, # <u>3</u> Exhibit A – EEOC's Proposed Discovery Plan, # <u>4</u> Exhibit B – EEOC's Memo re: Admin. Subpoenas, # <u>5</u> Exhibit C – EEOC Investigations Pamphlet, # <u>6</u> Exhibit D – Letter from Juge, # <u>7</u> Exhibit E – Brown v. DFS, # <u>8</u> Exhibit F – EEOC v. Cintas, # <u>9</u> Exhibit G – EEOC v. UPS, # <u>10</u> Exhibit H – Fujita v. United States, # <u>11</u> Exhibit I – Jackson v. Louisiana Tech., # <u>12</u> Exhibit J. – Lowe v. Wellcare Health Plans, # <u>13</u> Exhibit K – Rio Grande v. Energy Transfer, # <u>14</u> Exhibit L – Sapp v. Mem'l Herman, # <u>15</u> Exhibit M – Smith v. Potter, # <u>16</u> Exhibit N – Tostado v. Citibank, # <u>17</u> Exhibit O – United States v. Columbia/HCA, # <u>18</u> Exhibit P – Von Drake v. NBC)(Johnston, Michael) (Entered: 01/05/2012)
01/06/2012	<u>20</u>	CERTIFICATE OF INTERESTED PARTIES by Bass Pro Outdoor World, LLC, filed.(Johnston, Michael) (Entered: 01/06/2012)

01/13/2012	<u>21</u>	Supplemental MOTION to Stay <i>Discovery</i> by Bass Pro Outdoor World, LLC, filed. Motion Docket Date 2/3/2012. (Attachments: # <u>1</u> Exhibit A – Letter from Batog to Johnston)(Johnston, Michael) (Entered: 01/13/2012)
01/13/2012	<u>22</u>	NOTICE of Designation of Gregory T. Juge as Attorney-in-Charge by Equal Employment Opportunity Commission, filed. (Juge, Gregory) (Entered: 01/13/2012)
01/26/2012	<u>23</u>	First AMENDED COMPLAINT with JURY DEMAND against Barr Pro, Inc., Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C. filed by Equal Employment Opportunity Commission.(Juge, Gregory) (Entered: 01/26/2012)
01/26/2012	<u>24</u>	RESPONSE in Opposition to <u>19</u> MOTION to Stay <i>Discovery</i> , <u>21</u> Supplemental MOTION to Stay <i>Discovery</i> , filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Proposed Order)(Sustaita, Rodolfo) (Entered: 01/26/2012)
01/27/2012	<u>25</u>	MOTION for Entry of Order re: Defendant's Discovery Plan and Case Management Order by Bass Pro Outdoor World, LLC, filed. Motion Docket Date 2/17/2012. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Appendix, # <u>3</u> Exhibit A – Bass Pro's Plan, # <u>4</u> Exhibit B – EEOC's Plan, # <u>5</u> Exhibit C – Letter from Batog, # <u>6</u> D – Law Review Article, # <u>7</u> E – Aspen Tech v. Kunt, # <u>8</u> F – Roussell v. Brinker (2008), # <u>9</u> G – Roussell v. Brinker (2009), # <u>10</u> H – Serrano v. Cintas)(Johnston, Michael) (Entered: 01/27/2012)
01/30/2012	<u>26</u>	ORDER denying as moot without prejudice <u>18</u> Motion to Dismiss.(Signed by Judge Keith P Ellison) Parties notified.(arrivera,) (Entered: 01/30/2012)
02/01/2012	<u>27</u>	NOTICE of Setting. Parties notified. Initial Conference set for 3/1/2012 at 02:30 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe) (Entered: 02/01/2012)
02/06/2012	<u>28</u>	ORDER dismissing without prejudice as moot <u>19</u> Motion to Stay.(Signed by Judge Keith P Ellison) Parties notified.(arrivera,) (Entered: 02/06/2012)
02/08/2012	<u>29</u>	Unopposed MOTION for Extension of Time to Answer or Otherwise Respond to First Amended Complaint, Unopposed MOTION for Leave to File Excess Pages(Motion Docket Date 2/29/2012.), Unopposed MOTION to Set Briefing Schedule by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C., filed. (Attachments: # <u>1</u> Proposed Order)(Johnston, Michael) (Entered: 02/08/2012)
02/09/2012	<u>30</u>	NOTICE of Resetting. Parties notified. Initial Conference set for 4/17/2012 at 02:30 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe) (Entered: 02/09/2012)
02/10/2012	<u>31</u>	ORDER.(Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 02/10/2012)
03/05/2012	<u>32</u>	MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc. by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C., filed. Motion Docket Date 3/26/2012. (Attachments: # <u>1</u> Brief, # <u>2</u> Proposed Order, # <u>3</u> Appendix, # <u>4</u> Exhibit A – Commissioner's Charge, # <u>5</u> Exhibit B – Am. Commissioner's Charge, # <u>6</u> Exhibit C – EEOC Discovery Plan, # <u>7</u> Exhibit D – Eisenhower Declaration, # <u>8</u> Exhibit E – EEOC Budget)(Johnston, Michael) (Entered: 03/05/2012)
03/05/2012	<u>33</u>	EXHIBITS re: <u>32</u> MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc. by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C., filed. (Attachments: # <u>1</u> Exhibit F – Akerblom v. Ezra, # <u>2</u> Exhibit G – Coleman v. Sentinel, # <u>3</u> Exhibit H – EEOC v. Am. Laser, # <u>4</u> Exhibit I – EEOC v. Carolls (2005), # <u>5</u> Exhibit J – EEOC v. Carolls (2011), # <u>6</u> Exhibit K – EEOC v. Cintas, # <u>7</u> Exhibit L – EEOC v. CRST, # <u>8</u> Exhibit M – EEOC v. Custom Cos., # <u>9</u> Exhibit N – EEOC v. Dover, # <u>10</u> Exhibit O – EEOC v. Evans Fruit, # <u>11</u> Exhibit P – EEOC V. Freeman, # <u>12</u> Exhibit Q – EEOC v. Global, # <u>13</u> Exhibit R – EEOC v. Hotspur, # <u>14</u> Exhibit S – EEOC v. JBS (8/11), # <u>15</u> Exhibit T – EEOC v. JBS (12/11), # <u>16</u> Exhibit U – EEOC v. O'Reilly, # <u>17</u> Exhibit V – EEOC v. Peoplemark, # <u>18</u> Exhibit W – EEOC V. Phil Vinas, # <u>19</u> Exhibit X – EEOC v. SDI, # <u>20</u> Exhibit Y – EEOC v. Service Temps, # <u>21</u> Exhibit Z – EEOC v. Tricore)(Johnston, Michael) (Entered: 03/05/2012)

03/05/2012	<u>34</u>	EXHIBITS re: <u>32</u> MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc. by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C., filed. (Attachments: # <u>1</u> Exhibit AA – EEOC v. Turtle Creek, # <u>2</u> Exhibit BB – EEOC v. Tuscarora, # <u>3</u> Exhibit CC – EEOC v. UPS, # <u>4</u> Exhibit DD– EEOC v. Wells Fargo, # <u>5</u> Exhibit EE – Franklin v. Burlington, # <u>6</u> Exhibit FF – Hartz v. Tulane, # <u>7</u> Exhibit GG – Hodczak v. Latrobe, # <u>8</u> Exhibit HH – Jenkins v. Hennepin, # <u>9</u> Exhibit II – Johnson v. Verizon, # <u>10</u> Exhibit JJ – Jurek v. Williams, # <u>11</u> Exhibit KK – Landavazo v. Toro, # <u>12</u> Exhibit LL – MacGregor v. Farmers, # <u>13</u> Exhibit MM – Oinonen v. TRX, # <u>14</u> Exhibit NN – Probado v. Smartnet, # <u>15</u> Exhibit OO – Puente v. Ridge, # <u>16</u> Exhibit PP – Reedy v. CITGO, # <u>17</u> Exhibit QQ – Restrepo v. Wells Fargo, # <u>18</u> Exhibit RR – Richards v. JRK Prop., # <u>19</u> Exhibit SS – Rubinow v. Boehringer, # <u>20</u> Exhibit TT – Scott v. Family Dollar, # <u>21</u> Exhibit UU – Shelton v. Bd. of Suprvs., # <u>22</u> Exhibit VV – Upshaw v. Bd. of Suprvs., # <u>23</u> Exhibit WW – Wilkens v. Toyotetsu)(Johnston, Michael) (Entered: 03/05/2012)
03/05/2012	<u>35</u>	Renewed MOTION to Stay <i>Discovery Pending Final Disposition of Defendants' Motion to Dismiss</i> by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C., filed. Motion Docket Date 3/26/2012. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit A – Defs.' Mot. to Dismiss, # <u>3</u> Exhibit B – EEOC Discovery Plan, # <u>4</u> Exhibit C – Letter from Juge, # <u>5</u> Exhibit D – Letter from Batog, # <u>6</u> Exhibit E – Excerpt from Appl. to Enforce Subpoena, # <u>7</u> Exhibit F – EEOC Investigations)(Johnston, Michael) (Entered: 03/05/2012)
03/05/2012	<u>36</u>	EXHIBITS re: <u>35</u> Renewed MOTION to Stay <i>Discovery Pending Final Disposition of Defendants' Motion to Dismiss</i> by Bass Pro, Inc., Tracker Marine, L.L.C., filed.(Johnston, Michael) (Entered: 03/05/2012)
03/05/2012	<u>37</u>	EXHIBITS re: <u>35</u> Renewed MOTION to Stay <i>Discovery Pending Final Disposition of Defendants' Motion to Dismiss</i> by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C., filed.(Johnston, Michael) (Entered: 03/05/2012)
03/05/2012	<u>38</u>	EXHIBITS re: <u>35</u> Renewed MOTION to Stay <i>Discovery Pending Final Disposition of Defendants' Motion to Dismiss</i> by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C., filed. (Attachments: # <u>1</u> Exhibit H – Aspen v. Kunt, # <u>2</u> Exhibit I – Bodnar v. John Hancock, # <u>3</u> Exhibit J – Brown v. DFS, # <u>4</u> Exhibit K – EEOC v. Cintas, # <u>5</u> Exhibit L – EEOC v. UPS, # <u>6</u> Exhibit M – Fujita v. U.S., # <u>7</u> Exhibit N – Jackson v. Louisiana Tech, # <u>8</u> Exhibit O – Lowe v. Wellcare, # <u>9</u> Exhibit P – Rio Grande v. Energy Transfer, # <u>10</u> Exhibit Q – Roussell v. Brinker, # <u>11</u> Exhibit R – Sapp v. Mem'l Hermann, # <u>12</u> Exhibit S – Smith v. Potter, # <u>13</u> Exhibit T – Tostado v. Citibank, # <u>14</u> Exhibit U – Thompson v. Columbia, # <u>15</u> Exhibit V – Two Worlds Collide)(Johnston, Michael) (Entered: 03/05/2012)
03/06/2012	<u>39</u>	Clerks Notice regarding CMECF notice returned undeliverable from ella.rivers@eoc.gov on the account of Gregory T. Juge. The referenced email address has been deleted from your CM/ECF account, filed. (tferguson,) (Entered: 03/06/2012)
03/06/2012	<u>40</u>	NOTICE of Setting as to <u>35</u> Renewed MOTION to Stay <i>Discovery Pending Final Disposition of Defendants' Motion to Dismiss</i> . Parties notified. Motion Hearing set for 4/5/2012 at 02:30 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed. Parties may appear by telephone by calling in on the Court's Dia-In number at 713-250-5238. (sloewe) (Entered: 03/06/2012)
03/19/2012	<u>41</u>	RESPONSE in Opposition to <u>35</u> Renewed MOTION to Stay <i>Discovery Pending Final Disposition of Defendants' Motion to Dismiss</i> , filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Sustaita, Rodolfo) (Entered: 03/19/2012)
03/19/2012	<u>42</u>	EXHIBITS re: <u>41</u> Response in Opposition to Motion, by Equal Employment Opportunity Commission, filed.(Sustaita, Rodolfo) (Entered: 03/19/2012)
03/19/2012	<u>43</u>	EXHIBITS re: <u>41</u> Response in Opposition to Motion, by Equal Employment Opportunity Commission, filed.(Sustaita, Rodolfo) (Entered: 03/19/2012)

03/29/2012	<u>44</u>	REPLY in Support of <u>35</u> Renewed MOTION to Stay <i>Discovery Pending Final Disposition of Defendants' Motion to Dismiss</i> , filed by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – Rowland Decl., # <u>3</u> Exhibit B – Tucker Decl., # <u>4</u> Exhibit C – Adams v. Brookshire, # <u>5</u> Exhibit D – Castrillon v. St. Vincent Hosp., # <u>6</u> Exhibit E – Gannon v. U.S., # <u>7</u> Exhibit F – Rio Grande Royalty v. Energy Transfer)(Johnston, Michael) (Entered: 03/29/2012)
04/03/2012	<u>45</u>	RESPONSE in Opposition to <u>32</u> MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc., filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit (A–T), # <u>3</u> Proposed Order)(Juge, Gregory) (Entered: 04/03/2012)
04/05/2012		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 4/5/2012 GRANTING IN PART <u>35</u> Renewed MOTION to Stay <i>Discovery Pending Final Disposition of Defendants' Motion to Dismiss</i> , The Discovery is STAYED temporarily until the Motion to Dismiss Hearing is held. The Hearing is set for 5/24/2012 at 11:00 a.m. The Court will determine at that hearing whether discovery will be stayed pending the ruling on the Motion to Dismiss. Appearances:(Law Clerk: Butler). Samuel M Matchett, Michael W Johnston, William Robert Burns, Robert D Rose, Gregory T. Juge.(Court Reporter: Butler), filed.(sloewe) (Entered: 04/05/2012)
04/05/2012	<u>46</u>	NOTICE of Setting as to <u>32</u> MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc.. Parties notified. Motion Hearing set for 5/24/2012 at 11:00 AM in Courtroom 3A Houston before Judge Keith P Ellison, filed. Parties may appear by telephone by calling in on the Court's Dial-In number at 713-250-5238. (sloewe) (Entered: 04/05/2012)
04/09/2012	<u>47</u>	AO 435 TRANSCRIPT ORDER FORM by Lenora M Shealy. This is to order a transcript of Hearing on Motion to Stay held on 4/5/2012 before Judge Keith P Ellison (Original). Court Reporter/Transcriber: Kathy Metzger, filed. (dclark,) (Entered: 04/09/2012)
04/10/2012	<u>48</u>	AO 435 TRANSCRIPT ORDER FORM by James Sacher. This is to order a transcript of Hearing held on 4/5/2012 before Judge Keith P Ellison (Original), filed. (mmapps,) (Entered: 04/10/2012)
04/16/2012	<u>49</u>	Notice Regarding Initial Conference.(Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 04/16/2012)
04/16/2012		***Deadlines terminated. Initial Conference set for 4/17/2012 at 02:30 PM in Courtroom 3A Houston before Judge Keith P Ellison is VACATED. (sloewe) (Entered: 04/16/2012)
04/18/2012	<u>50</u>	TRANSCRIPT re: Hearing held on 4/5/2012 before Judge Keith P Ellison. Court Reporter/Transcriber K. Metzger. Release of Transcript Restriction set for 7/17/2012, filed. (kmetzger) (Entered: 04/18/2012)
04/19/2012	<u>51</u>	Notice of Filing of Official Transcript as to <u>50</u> Transcript. Party notified, filed. (dclark,) (Entered: 04/19/2012)
04/20/2012	<u>52</u>	REPLY in Support of <u>32</u> MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc., filed by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – H.R. Rep. No. 102-40(I), # <u>3</u> Exhibit B – Excerpt from Systemic Task Force Rpt., # <u>4</u> Exhibit C – Excerpt from EEOC Guidelines, # <u>5</u> Exhibit D – Celestine v. Petroleos, # <u>6</u> Exhibit E – EEOC v. Custom Cos., # <u>7</u> Exhibit F – EEOC v. Freeman, # <u>8</u> Exhibit G – EEOC v. Propak, # <u>9</u> Exhibit H – EEOC v. Scrub, # <u>10</u> Exhibit I – EEOC v. Sterling, # <u>11</u> Exhibit J – Hagler v. True Mfg., # <u>12</u> Exhibit K – King v. Enterprise Leasing, # <u>13</u> Exhibit L – Maradiaga v. Intermodal, # <u>14</u> Exhibit M – Scott v. Family Dollar, # <u>15</u> Exhibit N – Southern Bleacher v. Husco, # <u>16</u> Exhibit O – United Galvanizing v. Imperial, # <u>17</u> Exhibit P – Upshaw v. Bd. of Supervisors)(Johnston, Michael) (Entered: 04/20/2012)

05/22/2012		***Deadlines terminated. Motion Hearing set for 5/24/2012 at 11:00 AM in Courtroom 3A Houston before Judge Keith P Ellison is CANCELLED. (sloewe) (Entered: 05/22/2012)
05/31/2012	<u>53</u>	MEMORANDUM AND ORDER granting in part denying in part <u>32</u> MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc. (Signed by Judge Keith P Ellison) Parties notified.(arrivera,) (Entered: 05/31/2012)
06/08/2012	<u>54</u>	Ex Parte MOTION for Extension of Time to File Second Amended Complaint by Equal Employment Opportunity Commission, filed. Motion Docket Date 6/29/2012. (Attachments: # <u>1</u> Proposed Order)(Juge, Gregory) (Entered: 06/08/2012)
06/08/2012	<u>55</u>	RESPONSE in Opposition to <u>54</u> Ex Parte MOTION for Extension of Time to File Second Amended Complaint, filed by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit A – E-mail from Juge, # <u>3</u> Exhibit B – EEOC v. Cintas, # <u>4</u> Exhibit C – EEOC v. Peoplemark, # <u>5</u> Exhibit D – EEOC v. Tricore, # <u>6</u> Exhibit E – EEOC v. Tuscarora, # <u>7</u> Exhibit F – EEOC v. Wells Fargo, # <u>8</u> Exhibit G – Scott v. Family Dollar)(Johnston, Michael) (Entered: 06/08/2012)
06/11/2012	<u>56</u>	REPLY in Support of <u>54</u> Ex Parte MOTION for Extension of Time to File Second Amended Complaint, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit A – Garcia v. Navasota)(Juge, Gregory) (Entered: 06/11/2012)
06/12/2012	<u>57</u>	ORDER granting <u>54</u> Motion for Extension of Time to File Second Amended Complaint. Amended Pleadings due by 7/20/2012. Supplemental Briefing due by 8/3/2012. (Signed by Judge Keith P Ellison) Parties notified.(bthomas,) (Entered: 06/13/2012)
06/21/2012	<u>58</u>	Unopposed MOTION for Leave to File Excess Pages by Equal Employment Opportunity Commission, filed. Motion Docket Date 7/12/2012. (Attachments: # <u>1</u> Proposed Order)(Juge, Gregory) (Entered: 06/21/2012)
06/22/2012	<u>59</u>	ORDER (Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 06/22/2012)
06/27/2012	<u>60</u>	MOTION for Reconsideration of <u>53</u> Memorandum and Order by Equal Employment Opportunity Commission, filed. Motion Docket Date 7/18/2012. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Order, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2)(Juge, Gregory) (Entered: 06/27/2012)
07/20/2012	<u>61</u>	Second AMENDED Complaint with Jury Demand against Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C. filed by Equal Employment Opportunity Commission.(Juge, Gregory) (Entered: 07/20/2012)
07/25/2012	<u>62</u>	RESPONSE in Opposition to <u>60</u> MOTION for Reconsideration of <u>53</u> Memorandum and Order MOTION for Reconsideration of <u>53</u> Memorandum and Order, filed by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – EEOC Guidelines, # <u>3</u> Exhibit B – Excerpts from Systemic Task Force, # <u>4</u> Exhibit C – Systemic Harassment L. Rev., # <u>5</u> Exhibit D – Adams v. Brookshire, # <u>6</u> Exhibit E – Aspen Tech. v. Kunt, # <u>7</u> Exhibit F – Baldwin v. Layton, # <u>8</u> Exhibit G – Bender Square v. Factory Mut., # <u>9</u> Exhibit H – Chin v. Port Authority, # <u>10</u> Exhibit I – EEOC v. Freeman, # <u>11</u> Exhibit J – EEOC v. O'Reilly, # <u>12</u> Exhibit K – Brown v. Cypress Fairbanks, # <u>13</u> Exhibit L – Murthy v. Abbott Labs., # <u>14</u> Exhibit M – Reeb v. Ohio, # <u>15</u> Exhibit N – Roussell v. Brinker, # <u>16</u> Exhibit O – Smith v. U.S. Dep't of Navy, # <u>17</u> Exhibit P – United States v. Bratcher, # <u>18</u> Exhibit Q – United States v. Pasadena ISD, # <u>19</u> Exhibit R – Westerngeco v. ION, # <u>20</u> Exhibit S – White v. Am. Dental)(Johnston, Michael) (Entered: 07/25/2012)
07/26/2012	<u>63</u>	MOTION for Extension of Time to File Response to EEOC's Second Amended Complaint(Motion Docket Date 8/16/2012.), MOTION for Leave to File Excess Pages by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C., filed. (Attachments: # <u>1</u> Exhibit A – Email dated June 18, 2012 from G. Juge to M. Johnston, # <u>2</u> Exhibit B – Email dated July 25, 2012 from M. Johnston to G. Juge, # <u>3</u> Proposed Order)(Johnston, Michael) (Entered: 07/26/2012)

07/27/2012	<u>64</u>	RESPONSE in Opposition to <u>63</u> MOTION for Extension of Time to File Response to EEOC's Second Amended Complaint MOTION for Leave to File Excess Pages, filed by Equal Employment Opportunity Commission. (Juge, Gregory) (Entered: 07/27/2012)
07/30/2012	<u>65</u>	REPLY in Support of <u>63</u> MOTION for Extension of Time to File Response to EEOC's Second Amended Complaint MOTION for Leave to File Excess Pages, filed by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C.. (Johnston, Michael) (Entered: 07/30/2012)
07/31/2012	<u>66</u>	ORDER DENYING <u>63</u> MOTION for Extension of Time to File Response to EEOC's Second Amended Complaint MOTION for Leave to File Excess Pages (Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 08/02/2012)
08/02/2012	<u>67</u>	Unopposed MOTION for Extension of Time for Defendants to Answer or Otherwise Respond to Second Amended Complaint and Set Briefing Schedule(Motion Docket Date 8/23/2012.), Unopposed MOTION for Leave to File Excess Pages by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C., filed. (Attachments: # <u>1</u> Proposed Order)(Johnston, Michael) (Entered: 08/02/2012)
08/02/2012	<u>69</u>	ORDER granting <u>67</u> Motion for Extension of Time; granting <u>67</u> Motion for Leave to File Excess Pages(Answer due by 8/24/2012, Responses due by 9/28/2012.).(Signed by Judge Keith P Ellison) Parties notified.(sbyrum,) (Entered: 08/06/2012)
08/03/2012	<u>68</u>	Supplemental RESPONSE in Opposition to <u>32</u> MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc., filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit A: Custodian of Records Affidavit, # <u>2</u> Exhibit B: Attorney Declaration, # <u>3</u> Exhibit B1: BPI Company Records Report, # <u>4</u> Exhibit B2: Wilcher Declaration, # <u>5</u> Exhibit B3(a): Butzow Declaration, # <u>6</u> Exhibit B3(b): Quarles Declaration, # <u>7</u> Exhibit B3(c): Bloom Statement, # <u>8</u> Exhibit B3(d): Burton Statement, # <u>9</u> Exhibit B4: Business Report, # <u>10</u> Exhibit B5(a)-B5(c) Company Profiles, # <u>11</u> Exhibit B6: Business Report, # <u>12</u> Exhibit B7: Business Info. Report, # <u>13</u> Exhibit B8: Assumed Name Certificate, # <u>14</u> Exhibit B9: Ltd. Partnership Certificate, # <u>15</u> Exhibit B10: Change of Registered Agent Form, # <u>16</u> Exhibit B11: Franchise Tax Report, # <u>17</u> Exhibit B12: Certificate of Merger, # <u>18</u> Exhibit B13: Service of Process Transmittal, # <u>19</u> Exhibit B14: Jones Day Letter, # <u>20</u> Exhibit B15: Employment Forms, # <u>21</u> Exhibit B16: Website Printouts)(Wilhite, Connie) (Entered: 08/03/2012)
08/07/2012	<u>70</u>	Corrected EXHIBITS re: <u>68</u> Response in Opposition to Motion,,,, by Equal Employment Opportunity Commission, filed.(Wilhite, Connie) (Entered: 08/07/2012)
08/08/2012	<u>71</u>	Corrected EXHIBITS re: <u>68</u> Response in Opposition to Motion,,,, by Equal Employment Opportunity Commission, filed.(Wilhite, Connie) (Entered: 08/08/2012)
08/08/2012	<u>72</u>	REPLY in Support of <u>60</u> MOTION for Reconsideration of <u>53</u> Memorandum and Order MOTION for Reconsideration of <u>53</u> Memorandum and Order, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Colindres v. Quietflex Mfg. (unpublished case))(Rose, Robert) (Entered: 08/08/2012)
08/09/2012	<u>73</u>	Corrected EXHIBITS re: <u>68</u> Response in Opposition to Motion,,,, by Equal Employment Opportunity Commission, filed. (Attachments: # <u>1</u> Supplement Explanation Letter)(Wilhite, Connie) (Entered: 08/09/2012)
08/24/2012	<u>74</u>	RESPONSE to <u>68</u> Response in Opposition to Motion,,,,, filed by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – Decl. of Tim Eisenhour (08/24/2012), # <u>3</u> Exhibit B – 21st Century Fin. Servs. v. Mandelbaum, # <u>4</u> Exhibit C – Adm'rs of Tulane Educ. Fund v. IPSEN, # <u>5</u> Exhibit D – Akerblom v. Ezra Holdings, # <u>6</u> Exhibit E – Driving Force Techs. v. Panda Distrib., # <u>7</u> Exhibit F – Duvall v. Lowe's Cos., # <u>8</u> Exhibit E – EEOC v. Cintas Corp., # <u>9</u> Exhibit H – EsNtion Records v. JonesTM, # <u>10</u> Exhibit I – Franklin v. Burlington N. & Santa Fe R.R., # <u>11</u> Exhibit J – Gartin v. Par Pharm. Cos., # <u>12</u> Exhibit K – Global 360 v. Spittin' Image Software, # <u>13</u> Exhibit L – Johnson v. Verizon Commc'ns, # <u>14</u> Exhibit M – Marine Geotechnics v. Williams, # <u>15</u> Exhibit N – Mikuni Corp. v. Foster, # <u>16</u> Exhibit O– Mohamed v. Erinys Int'l, # <u>17</u> Exhibit P – Op Art, Inc. v. B.I.G. Wholesalers, # <u>18</u> Exhibit Q – S.L.A. Studio Land v. SRC Constr., # <u>19</u> Exhibit R – Signtronix v. Gen. Sign, # <u>20</u> Exhibit S – Southern–Owners

		Ins. v. Tomac of Fla., # <u>21</u> Exhibit T – Thomas v. Trico Prods., # <u>22</u> Exhibit U – Torres v. Liberto Mfg., # <u>23</u> Exhibit V – U.S. LED, Ltd. v. Nu Power Assocs.)(Matchett, Samuel) (Entered: 08/24/2012)
08/24/2012	<u>75</u>	Amended CERTIFICATE OF INTERESTED PARTIES by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C., filed.(Matchett, Samuel) (Entered: 08/24/2012)
08/24/2012	<u>76</u>	MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc. by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C., filed. Motion Docket Date 9/14/2012. (Attachments: # <u>1</u> Brief, # <u>2</u> Proposed Order, # <u>3</u> Exhibit A – MacKenzie Charge, # <u>4</u> Exhibit B – Blair Charge, # <u>5</u> Exhibit C – Harlingen 2012 EEO-1)(Johnston, Michael) (Entered: 08/24/2012)
08/24/2012	<u>77</u>	APPENDIX re: <u>76</u> MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc. by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C., filed. (Attachments: # <u>1</u> Exhibit D – Barnes v. Fed. Express, # <u>2</u> Exhibit E – Barrientos v. City of Eagle Pass, # <u>3</u> Exhibit F – Bolden v. Walsh Constr., # <u>4</u> Exhibit G – Brown v. Bd. of Trs., # <u>5</u> Exhibit H – Bui v. Horseshoe Entm't, # <u>6</u> Exhibit I – Dark v. Potter, # <u>7</u> Exhibit J – DeHart v. Baker Hughes, # <u>8</u> Exhibit K – Earle v. Aramark, # <u>9</u> Exhibit L – EEOC v. Andrew Corp., # <u>10</u> Exhibit M – EEOC v. Cintas, # <u>11</u> Exhibit N – EEOC v. Hobson Air, # <u>12</u> Exhibit O – EEOC v. Hotspur, # <u>13</u> Exhibit P – EEOC v. JBS, # <u>14</u> Exhibit Q – EEOC v. O'Reilly Auto, # <u>15</u> Exhibit R – EEOC v. P.A.M. Transp., # <u>16</u> Exhibit S – EEOC v. Peoplemark, # <u>17</u> Exhibit T – EEOC v. Port Auth., # <u>18</u> Exhibit U – EEOC v. River View, # <u>19</u> Exhibit V – EEOC v. Texas Roadhouse, # <u>20</u> Exhibit W – EEOC v. Tricore, # <u>21</u> Exhibit X – EEOC v. Turtle Creek, # <u>22</u> Exhibit Y – EEOC v. Tuscarora Yarns, # <u>23</u> Exhibit Z – EEOC v. UPS)(Johnston, Michael) (Entered: 08/24/2012)
08/24/2012	<u>78</u>	APPENDIX re: <u>76</u> MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc. by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C., filed. (Attachments: # <u>1</u> Exhibit AA – EEOC v. UPS, # <u>2</u> Exhibit BB – EEOC v. Wells Fargo, # <u>3</u> Exhibit CC – Gaalla v. Brown, # <u>4</u> Exhibit DD – Gauthier v. Horace Mann, # <u>5</u> Exhibit EE – Grice v. FMC Techs., # <u>6</u> Exhibit FF – Griffin v. Citgo, # <u>7</u> Exhibit GG – Hall v. Kone, # <u>8</u> Exhibit HH – Jefferson v. MillerCoors, # <u>9</u> Exhibit II – Kelley v. KIMC, # <u>10</u> Exhibit JJ – Knatt v. Hosp. Serv., # <u>11</u> Exhibit KK – Mercer v. Arbor E&T, # <u>12</u> Exhibit LL – Mitchell v. Crescent River, # <u>13</u> Exhibit MM – Montgomer v. Sears, # <u>14</u> Exhibit NN – Muse v. Jazz Casino, # <u>15</u> Exhibit OO – Puente v. Ridge, # <u>16</u> Exhibit PP – Rice v. Spinx Co., # <u>17</u> Exhibit QQ – Sabzevari v. Reliable Ins., # <u>18</u> Exhibit RR – Scott v. Family Dollar, # <u>19</u> Exhibit SS – Sherman v. Dallas ISD, # <u>20</u> Exhibit TT – Shollenbarger v. Planes Moving, # <u>21</u> Exhibit UU – State of Ariz. v. Geo, # <u>22</u> Exhibit VV – Wallace v. Neiman Marcus)(Johnston, Michael) (Entered: 08/24/2012)
09/04/2012	<u>79</u>	Supplemental RESPONSE in Opposition to <u>32</u> MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>23</u> Amended Complaint/Counterclaim/Crossclaim etc., filed by Equal Employment Opportunity Commission. (Wilhite, Connie) (Entered: 09/04/2012)
09/13/2012	<u>80</u>	Opposed MOTION for Leave to File Surreply by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C., filed. Motion Docket Date 10/4/2012. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit A – Surreply, # <u>3</u> Exhibit 1 – E-mails, # <u>4</u> Unreported Cases)(Johnston, Michael) (Entered: 09/13/2012)
09/13/2012	<u>81</u>	ORDER granting <u>80</u> Motion for Leave to File.(Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 09/13/2012)
09/24/2012	<u>82</u>	SURREPLY to <u>79</u> and <u>80</u> Opposed MOTION for Leave to File Surreply, filed by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Exhibit 1 – E-mails, # <u>2</u> Unreported Cases)(Johnston, Michael) Modified on 9/24/2012 (sloewe). (Entered: 09/24/2012)
09/28/2012	<u>83</u>	RESPONSE in Opposition to <u>76</u> MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc., filed by Equal Employment Opportunity

		Commission. (Attachments: # <u>1</u> Appendix Table of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B–Z (unpublished cases), # <u>4</u> Proposed Order)(Juge, Gregory) (Entered: 09/28/2012)
10/02/2012	<u>84</u>	NOTICE of Setting as to <u>77</u> Appendix,,, <u>79</u> Response in Opposition to Motion, <u>83</u> Response in Opposition to Motion, <u>76</u> MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc., <u>82</u> Surreply to Motion, <u>78</u> Appendix,,,, Parties notified. Motion Hearing set for 10/15/2012 at 10:30 AM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe) (Entered: 10/02/2012)
10/03/2012	<u>85</u>	Unopposed MOTION for Continuance of Hearing Set for October 15, 2012 by Equal Employment Opportunity Commission, filed. Motion Docket Date 10/24/2012. (Attachments: # <u>1</u> Proposed Order)(Juge, Gregory) (Entered: 10/03/2012)
10/03/2012	<u>86</u>	NOTICE of Setting as to <u>77</u> Appendix,,, <u>76</u> MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc., <u>82</u> Surreply to Motion, <u>79</u> Response in Opposition to Motion, <u>83</u> Response in Opposition to Motion, <u>78</u> Appendix, <u>60</u> Motion for Reconsideration,,, Parties notified. Motion Hearing set for 10/22/2012 at 10:30 AM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe) Modified on 10/4/2012 (bthomas,). (Entered: 10/03/2012)
10/04/2012	<u>87</u>	ORDER SETTING HEARING. Motion–related deadline set re: <u>60</u> MOTION for Reconsideration of <u>53</u> Memorandum and Order. Motion Hearing set for 10/22/2012 at 10:30 AM in Courtroom 3A before Judge Keith P Ellison. (Signed by Judge Keith P Ellison). The parties may appear by telephone by calling the Court's dial–in number at 713–250–5238. Parties notified.(bthomas) (Entered: 10/04/2012)
10/09/2012	<u>88</u>	REPLY in Support of <u>76</u> MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc., filed by Bass Pro Outdoor World, LLC, Bass Pro, Inc., Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Appendix, # <u>2</u> A – Apsley v. Boeing Co., # <u>3</u> B – Barrientos v. City of Eagle Pass, # <u>4</u> C – Bolden v. Walsh Constr., # <u>5</u> D – EEOC v. Carolls Corp., # <u>6</u> E – EEOC v. Hotspur Resorts, # <u>7</u> F – EEOC v. O'Reilly Auto., # <u>8</u> G – EEOC v. Texas Roadhouse, # <u>9</u> H – EEOC v. Turtle Creek, # <u>10</u> I – EEOC v. UPS, # <u>11</u> J – Gaalla v. Brown, # <u>12</u> K – Knatt v. Hosp. Serv., # <u>13</u> L – Mercer v. Arbor E&T)(Johnston, Michael) (Entered: 10/09/2012)
10/15/2012	<u>89</u>	MOTION for Tanya L. Goldman to Appear Pro Hac Vice by Equal Employment Opportunity Commission, filed. Motion Docket Date 11/5/2012. (Bowne, Timothy) (Entered: 10/15/2012)
10/16/2012	<u>91</u>	ORDER granting <u>89</u> Motion to Appear Pro Hac Vice Tanya Goldman.(Signed by Judge Keith P Ellison) Parties notified.(bthomas) (Entered: 10/18/2012)
10/17/2012	<u>90</u>	Agreed MOTION for Leave to File Sur–reply in Opposition to Defendants' Motion to Dismiss Second Amended Complaint by Equal Employment Opportunity Commission, filed. Motion Docket Date 11/7/2012. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Sur–reply)(Juge, Gregory) (Entered: 10/17/2012)
10/19/2012	<u>92</u>	ORDER granting <u>90</u> Motion for Leave to File a Sur–Reply.(Signed by Judge Keith P Ellison) Parties notified.(bthomas) (Entered: 10/19/2012)
10/19/2012	<u>93</u>	SURREPLY to <u>76</u> MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc., filed by Equal Employment Opportunity Commission. (bthomas) (Entered: 10/19/2012)
10/22/2012	<u>94</u>	Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 10/22/2012. Motion to Reconsider <u>60</u> is denied. Matter taken under advisement. Exhibits admitted. Appearances:Jona McCormick. Samuel M Matchett, Michael W Johnston, Konrad Batog, Gregory T. Juge.(Court Reporter: J. Sanchez), filed.(bthomas). (Additional attachment(s) added on 10/22/2012: # <u>1</u> Defendant's Exh. 1) (bthomas,). (Entered: 10/22/2012)
10/23/2012	<u>95</u>	MEMORANDUM AND ORDER (Signed by Judge Keith P Ellison) Parties notified.(sloewe) Modified on 10/29/2012 (sloewe). (Entered: 10/23/2012)

10/25/2012	<u>96</u>	SURREPLY to <u>76</u> MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc., filed by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Appleberry v. Fort Worth ISD)(Johnston, Michael) (Entered: 10/25/2012)
12/20/2012	<u>97</u>	APPEAL TRANSCRIPT re Motion to Reconsider held on October 22, 2012 before Judge Keith P Ellison. Court Reporter J. Sanchez. Release of Transcript Restriction set for 3/20/2013., filed. (jsanchez,) (Entered: 12/20/2012)
12/21/2012	<u>98</u>	Notice of Filing of Official Transcript as to <u>97</u> Transcript – Appeal. Party notified, filed. (Itien,) (Entered: 12/21/2012)
03/18/2013	<u>99</u>	MEMORANDUM AND ORDER GRANTING IN PART AND DENYING IN PART <u>76</u> MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc. MOTION to Dismiss <u>61</u> Amended Complaint/Counterclaim/Crossclaim etc. (Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 03/18/2013)
03/25/2013	<u>100</u>	NOTICE of Appearance by Carolyn Cain Burch on behalf of Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C., filed. (Burch, Carolyn) (Entered: 03/25/2013)
03/25/2013	<u>101</u>	Joint MOTION for Extension of Time to Amend Complaint and File Answer by Bass Pro Outdoor World, LLC, Equal Employment Opportunity Commission, Tracker Marine, L.L.C., filed. Motion Docket Date 4/15/2013. (Attachments: # <u>1</u> Proposed Order)(Johnston, Michael) (Entered: 03/25/2013)
03/27/2013	<u>102</u>	NOTICE of Setting. Parties notified. Initial Conference set for 5/2/2013 at 02:30 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe) (Entered: 03/27/2013)
03/28/2013	<u>103</u>	ORDER Extending Time to Answer granting <u>101</u> Motion for Extension of Time. The deadline by which Plaintiff may amend its Complaint with regard to the retaliation claims of Laura Tarr and Denise Marstall is extended to and includes April 15, 2013. The deadline by which Defendants must answer Plaintiff's Second Amended Complaint is extended to and includes May 1, 2013. Further, should Plaintiff file a Third Amended Complaint on or before April 15, 2013, Defendants are relieved from answering Plaintiff's Second Amended Complaint and must answer or otherwise respond to Plaintiff's Third Amended Complaint on or before May 15, 2013. (Signed by Judge Keith P Ellison) Parties notified.(gkelner,) (Entered: 03/29/2013)
04/15/2013	<u>104</u>	Third AMENDED COMPLAINT with Jury Demand against Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C. filed by Equal Employment Opportunity Commission.(Goldman, Tanya) (Entered: 04/15/2013)
04/17/2013	<u>105</u>	MOTION for Protective Order by Equal Employment Opportunity Commission, filed. Motion Docket Date 5/8/2013. (Attachments: # <u>1</u> Proposed Order)(Juge, Gregory) (Entered: 04/17/2013)
04/19/2013	<u>106</u>	RESPONSE in Opposition to <u>105</u> MOTION for Protective Order, filed by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – E-mail chain between Johnston and Juge, # <u>3</u> Exhibit B – July 15, 2011 Hrg. Tr. (11-MC-190), # <u>4</u> Exhibit C – Doc. 32 – Response (11-MC-190, # <u>5</u> Exhibit 1 – Ariz. ex. rel. Goddard v. GEO, # <u>6</u> Exhibit 2 – EEOC v. Carolls, # <u>7</u> Exhibit 3 – EEOC v. Dillard's, # <u>8</u> Exhibit 4 – EEOC v. High Speed Enter., # <u>9</u> Exhibit 5 – EEOC v. Lifecare Mgmt., # <u>10</u> Exhibit 6 – EEOC v. Mach Mining, # <u>11</u> Exhibit 7 – EEOC v. Nordstrom, # <u>12</u> Exhibit 8 – EEOC v. O'Reilly Automotive, # <u>13</u> Exhibit 9 – EEOC v. Philip Servs., # <u>14</u> Exhibit 10 – EEOC v. Swissport)(Johnston, Michael) (Entered: 04/19/2013)
04/22/2013	<u>107</u>	<i>Letter Concerning May 2, 2013, Initial Conference</i> by Equal Employment Opportunity Commission, filed.(Juge, Gregory) (Entered: 04/22/2013)
04/22/2013	<u>108</u>	MOTION to Stay <i>Discovery Pending Ruling on Motion for Summary Judgment</i> , MOTION for Continuance of May 2, 2013 Scheduling Conference (Motion Docket Date 5/13/2013.) by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C., filed. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Appendix, # <u>3</u> Exhibit A – Proposed MSJ Filed Under Seal, # <u>4</u> Exhibit B – 01/19/12 Letter from EEOC, # <u>5</u> Exhibit C – Excerpt from EEOC Congressional Budget, # <u>6</u> Exhibit D – Rowland Declaration, # <u>7</u> Exhibit E –

		EEOC's Proposed Discovery Plan, # <u>8</u> Exhibit F – E-mail chain between Juge and Johnston, # <u>9</u> Exhibit G – Excerpt from 10/22/12 Hearing Tr., # <u>10</u> Exhibit H – Excerpt from 7/15/11 Hearing Tr., # <u>11</u> Exhibit I – Tucker Declaration, # <u>12</u> Case Law)(Johnston, Michael) (Entered: 04/22/2013)
04/22/2013	<u>109</u>	Sealed Event, filed. (Entered: 04/22/2013)
04/24/2013	<u>110</u>	NOTICE of Setting as to <u>108</u> MOTION to Stay <i>Discovery Pending Ruling on Motion for Summary Judgment</i> MOTION for Continuance of May 2, 2013 Scheduling Conference, <u>105</u> MOTION for Protective Order. Parties notified. Motion Hearing set for 4/29/2013 at 11:00 AM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe) (Entered: 04/24/2013)
04/24/2013	<u>111</u>	MOTION to Cancel or Postpone April 29, 2013, Hearing, and Initial Response in Opposition to ECF No. 108 by Equal Employment Opportunity Commission, filed. Motion Docket Date 5/15/2013. (Juge, Gregory) (Entered: 04/24/2013)
04/25/2013	<u>112</u>	RESPONSE to <u>111</u> MOTION to Cancel or Postpone April 29, 2013, Hearing, and Initial Response in Opposition to ECF No. 108, filed by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C.. (Johnston, Michael) (Entered: 04/25/2013)
04/25/2013	<u>113</u>	ORDER on <u>111</u> MOTION to Cancel or Postpone April 29, 2013. Hearing on Doc. # <u>108</u> and # <u>111</u> set for 5/14/2013 at 10:30 AM in Courtroom 3A Houston before Judge Keith P Ellison. Initial Conference set for 5/2/2013 at 02:30 PM is cancelled. Motion Hearing set for 4/29/2013 at 11:00 AM is cancelled.(Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 04/25/2013)
04/29/2013	<u>114</u>	REPLY to Response to <u>105</u> MOTION for Protective Order, filed by Equal Employment Opportunity Commission. (Juge, Gregory) (Entered: 04/29/2013)
05/01/2013	<u>115</u>	Cross MOTION to Strike <u>109</u> Sealed Event, <u>108</u> MOTION to Stay <i>Discovery Pending Ruling on Motion for Summary Judgment</i> MOTION for Continuance of May 2, 2013 Scheduling Conference and <i>RESPONSE in OPPOSITION to MOTION to Stay Discovery [ECF No. 108]</i> by Equal Employment Opportunity Commission, filed. Motion Docket Date 5/22/2013. (Attachments: # <u>1</u> Appendix of Cited Cases)(Batog, Konrad) (Entered: 05/01/2013)
05/02/2013	<u>116</u>	MOTION FOR ORDER REGARDING SEQUENCE OF FUTURE MOTIONS CONCERNING INVESTIGATION AND CONCILIATION (with Proposed Order) by Equal Employment Opportunity Commission, filed. Motion Docket Date 5/23/2013. (Juge, Gregory) (Entered: 05/02/2013)
05/07/2013	<u>117</u>	REPLY in Support of <u>108</u> MOTION to Stay <i>Discovery Pending Ruling on Motion for Summary Judgment</i> MOTION for Continuance of May 2, 2013 Scheduling Conference, filed by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – Letter from Batog, # <u>3</u> Exhibit 1 – Bracey v. Harlow, # <u>4</u> Exhibit 2 – EEOC v. Dillard's, # <u>5</u> Exhibit 3 – Gandler v. Nazarov, # <u>6</u> Exhibit 4 – Hartnett v. Papa John's Pizza, # <u>7</u> Exhibit 5 – Paluch v. Dawson)(Johnston, Michael) (Entered: 05/07/2013)
05/07/2013	<u>118</u>	RESPONSE in Opposition, filed by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – Letter from Batog, # <u>3</u> Exhibit 1 – Bracey v. Harlow, # <u>4</u> Exhibit 2 – EEOC v. Dillard's, # <u>5</u> Exhibit 3 – Gandler v. Nazarov, # <u>6</u> Exhibit 4 – Hartnett v. Papa John's Pizza, # <u>7</u> Exhibit 5 – Paluch v. Dawson)(Johnston, Michael) (Entered: 05/07/2013)
05/14/2013		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 5/14/2013. DENYING <u>105</u> MOTION for Protective Order by Equal Employment Opportunity Commission, filed. Motion Docket Date 5/8/2013, <u>108</u> GRANTING IN PART AND DENYING IN PART MOTION to Stay Discovery Pending Ruling on Motion for Summary Judgment, MOTION for Continuance of May 2, 2013 Scheduling Conference, Parties should conduct discovery on conciliation. DENYING <u>115</u> Cross MOTION to Strike <u>109</u> Sealed EventTERMINATING AS MOOT <u>116</u> MOTION FOR ORDER REGARDING SEQUENCE OF FUTURE MOTIONS CONCERNING INVESTIGATION AND CONCILIATION. With Regard to Doc. <u>108</u> Plaintiffs should prepare a proposed case management plan and submit to Defendants. Appearances:(Law Clerk: Nila Bala) Jim Sacher. Michael W Johnston,

		Robert D Rose, Gregory T. Juge.(Court Reporter: Slavin), filed.(sloewe) (Entered: 05/14/2013)
05/15/2013	<u>119</u>	MOTION for Summary Judgment by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C., filed. Motion Docket Date 6/5/2013. (Attachments: # <u>1</u> Brief, # <u>2</u> Statement of Undisputed Material Facts, # <u>3</u> Appendix, # <u>4</u> Exhibit 1 – Commissioner's Charge, # <u>5</u> Exhibit 2 – Am. Commissioner's Charge, # <u>6</u> Exhibit 3 – White Decl., # <u>7</u> Exhibit 3 – Appendix to White Decl., # <u>8</u> Exhibit 3A – 04–02–10 Letter, # <u>9</u> Exhibit 3B – 04–23–10 Letter, # <u>10</u> Exhibit 3C – 04–26–10 Letter, # <u>11</u> Exhibit 3D – 04–29–10 Letter, # <u>12</u> Exhibit 3E – 04–30–10 Letter, # <u>13</u> Exhibit 3F – 05–03–10 Letter, # <u>14</u> Exhibit 3G – 05–05–10 Letter, # <u>15</u> Exhibit 3H – 05–14–10 Letter, # <u>16</u> Exhibit 3I – 05–20–10 Letter, # <u>17</u> Exhibit 3J – 06–03–10 Letter, # <u>18</u> Exhibit 3K – 06–21–10 Letter, # <u>19</u> Exhibit 3L – 07–08–10 Letter, # <u>20</u> Exhibit 3M – 08–19–10 Letter, # <u>21</u> Exhibit 3N – 08–20–10 Letter, # <u>22</u> Exhibit 3O – 08–26–10 Letter, # <u>23</u> Exhibit 3P – 08–31–10 Letter, # <u>24</u> Exhibit 3Q – 09–02–10 Letter)(Johnston, Michael) (Entered: 05/15/2013)
05/15/2013	<u>120</u>	EXHIBITS re: <u>119</u> MOTION for Summary Judgment by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C., filed. (Attachments: # <u>1</u> Exhibit 3S – 11–01–10 Letter, # <u>2</u> Exhibit 3T – 11–16–10 Letter, # <u>3</u> Exhibit 3U – 11–19–10 Letter, # <u>4</u> Exhibit 3V – 12–02–10 Letter, # <u>5</u> Exhibit 3W – 12–09–10 Letter, # <u>6</u> Exhibit 3X – 12–14–10 Letter, # <u>7</u> Exhibit 3Y – 01–14–11 Letter, # <u>8</u> Exhibit 3Z – 04–06–11 Letter, # <u>9</u> Exhibit 3AA – 04–27–11 Letter, # <u>10</u> Exhibit 4 – 03–02–11 Letter, # <u>11</u> Exhibit 5 – 03–25–11 Letter, # <u>12</u> Exhibit 6 – 04–25–11 Letter, # <u>13</u> Exhibit 7 – 06–07–11 Letter, # <u>14</u> Exhibit 8 – Case Decl., # <u>15</u> Exhibit 9 – Rowland Decl., # <u>16</u> Exhibit 10 – Johnson Decl., # <u>17</u> Exhibit 11 – 11–18–09 Letter, # <u>18</u> Appendix to Case Law, # <u>19</u> Case Law)(Johnston, Michael) (Entered: 05/15/2013)
05/15/2013	<u>121</u>	ANSWER to <u>104</u> Amended Complaint/Counterclaim/Crossclaim etc. with Jury Demand by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C., filed.(Johnston, Michael) (Entered: 05/15/2013)
05/16/2013	<u>122</u>	MOTION to Seal Specific Exhibits to Defs.' Motion for Summary Judgment (Doc. Nos. 120–14 and 120–16) by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C., filed. Motion Docket Date 6/6/2013. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit 8 – Case Decl. (replacement), # <u>3</u> Exhibit 10 – Johnson Decl. (replacement))(Johnston, Michael) (Entered: 05/16/2013)
05/17/2013	<u>123</u>	ORDER granting <u>122</u> Motion to Seal.(Signed by Judge Keith P Ellison) Parties notified.(kpicota,) (Entered: 05/17/2013)
05/24/2013	<u>124</u>	AO 435 TRANSCRIPT ORDER FORM by Timothy Bowne for Pltf. This is to order a transcript of Motion Hearing held on 5/14/2013 before Judge Keith P Ellison (original). Court Reporter/Transcriber: B. Slavin, filed. (pyebernetsky,) (Entered: 05/24/2013)
05/24/2013	<u>125</u>	DKT–13 TRANSCRIPT ORDER FORM by Lenora Shealy. This is to order a transcript of the Motion Hearing held on May 14, 2013 before Judge Keith Ellison (original). Court Reporter/Transcriber: Bruce Slavin. This order form relates to the following:, filed.(sroque,) (Entered: 05/24/2013)
05/28/2013	<u>126</u>	TRANSCRIPT re: Motions Hearing held on 5–14–13 before Judge Keith P Ellison. Court Reporter/Transcriber B. Slavin. Release of Transcript Restriction set for 8/26/2013., filed. (bslavin,) (Entered: 05/28/2013)
05/29/2013	<u>127</u>	Notice of Filing of Official Transcript as to <u>126</u> Transcript. Party notified, filed. (dhansen,) (Entered: 05/29/2013)
05/30/2013	<u>128</u>	MOTION for Extension of Time to Oppose Defendants' Motion for Summary Judgment by Equal Employment Opportunity Commission, filed. Motion Docket Date 6/20/2013. (Juge, Gregory) (Entered: 05/30/2013)
05/31/2013	<u>129</u>	ORDER for Expedited Responses and Order setting Telephone Conference set for 6/5/2013 at 10:30 AM Courtroom 3A Houston before Judge Keith P Ellison(Signed by Judge Keith P Ellison) Parties notified.(sloewe) (Entered: 05/31/2013)
06/04/2013	<u>130</u>	RESPONSE in Opposition to <u>128</u> MOTION for Extension of Time to Oppose Defendants' Motion for Summary Judgment, filed by Bass Pro Outdoor World, LLC,

		Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Exhibit Ex. A – Timeline, # <u>2</u> Exhibit Ex. B – Excerpts from 05/14/13 Hr'g Tr., # <u>3</u> Exhibit Ex. C – E-mails between Juge and Johnston, # <u>4</u> Exhibit Ex. D – 05/30/13 Notice of Electronic Filing)(Johnston, Michael) (Entered: 06/04/2013)
06/05/2013		Minute Entry for proceedings held before Judge Keith P Ellison. TELEPHONE CONFERENCE held on 6/5/2013 granting <u>128</u> MOTION for Extension of Time to Oppose Defendants' Motion for Summary Judgment. Arguments made on the record. EEOC will have 4 weeks to determine if additional discovery is necessary. If it is needed, plaintiff will receive an additional 6 weeks to complete discovery and to file summary judgment. If the EEOC determines no discovery is necessary, 2 additional weeks after the initial 4 weeks will be provided to file the summary judgment. Appearances:(Law Clerk: Nila Bala)Benjamin Berman, Rebecca Moore, Scott Mario. Michael W Johnston, Samuel M Matchett, Gregory T. Juge, Robert D Rose.(Court Reporter: M. Malone)(glyons) (Entered: 06/05/2013)
06/17/2013	<u>131</u>	TRANSCRIPT re: Status Conference held on June 5, 2013 before Judge Keith P Ellison. Court Reporter/Transcriber Mayra Malone. Release of Transcript Restriction set for 9/16/2013., filed. (mmalone,) (Entered: 06/17/2013)
06/18/2013	<u>132</u>	Notice of Filing of Official Transcript as to <u>131</u> Transcript. Party notified, filed. (dhansen,) (Entered: 06/18/2013)
07/12/2013	<u>133</u>	Agreed MOTION For Leave to File a 35 Page Opposition Brief in Response to Defendants' Summary Judgment Motion by Equal Employment Opportunity Commission, filed. Motion Docket Date 8/2/2013. (Attachments: # <u>1</u> Proposed Order)(Rose, Robert) (Entered: 07/12/2013)
07/12/2013	<u>134</u>	ORDER granting <u>133</u> Motion for Leave to File Additional Pages.(Signed by Judge Keith P Ellison) Parties notified.(kpicota) (Entered: 07/12/2013)
07/16/2013	<u>135</u>	MOTION to Amend <u>104</u> Amended Complaint/Counterclaim/Crossclaim etc. by Equal Employment Opportunity Commission, filed. Motion Docket Date 8/6/2013. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Appendix of Cases, # <u>8</u> Proposed Order)(Batog, Konrad) (Entered: 07/16/2013)
07/17/2013	<u>136</u>	RESPONSE in Opposition to <u>119</u> MOTION for Summary Judgment, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Response to Defendants' Statement of Undisputed Facts, # <u>2</u> Appendix, # <u>3</u> Exhibit 1 (Damiani Declaration), # <u>4</u> Exhibit 1–A (Attachment to Damiani Declaration), # <u>5</u> Exhibit 1–B (Attachment to Damiani Declaration), # <u>6</u> Exhibit 1–C (Attachment to Damiani Declaration), # <u>7</u> Exhibit 2 (Ebel Declaration), # <u>8</u> Exhibit 3 (Hrg Transcript), # <u>9</u> Exhibit 4 (Slip Opinion), # <u>10</u> Exhibit 5 (EEOC Conciliation data), # <u>11</u> Exhibit 6 (EEOC Litigation data), # <u>12</u> Exhibit 7 (Unpublished Cases))(Goldman, Tanya) (Entered: 07/17/2013)
07/17/2013	<u>137</u>	MOTION for Partial Summary Judgment <i>That Condition Precedent of Conciliation Is Satisfied</i> by Equal Employment Opportunity Commission, filed. Motion Docket Date 8/7/2013. (Attachments: # <u>1</u> Appendix of Authorities, # <u>2</u> Proposed Order)(Juge, Gregory) (Entered: 07/17/2013)
07/19/2013	<u>138</u>	RESPONSE in Opposition to <u>135</u> MOTION to Amend <u>104</u> Amended Complaint/Counterclaim/Crossclaim etc., filed by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Exhibit A – 2012 Emails between Johnston and Juge, # <u>2</u> Exhibit B – Eisenhower Declaration, # <u>3</u> Exhibit C – June 2013 E-mails between Johnston and Juge, # <u>4</u> Exhibit D – White Declaration, # <u>5</u> Exhibit E – Excerpt from 5/14/13 Hr'g Tr., # <u>6</u> Exhibit F – 7/02/13 Letter from Juge)(Johnston, Michael) (Entered: 07/19/2013)
07/24/2013	<u>139</u>	Unopposed MOTION for Extension of Time for Defendants to file Defendants' Reply in Support of Defendants' Motion for Summary Judgment and Defendants' Response to Plaintiff's Motion for Partial Summary Judgment, and for Plaintiff to file its Reply in Support of its Motion for Partial Summary Judgment(Motion Docket Date 8/14/2013.), Unopposed MOTION for Leave to File Excess Pages by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C., filed. (Attachments: # <u>1</u> Proposed Order)(Johnston, Michael) (Entered: 07/24/2013)

07/25/2013	<u>140</u>	ORDER granting <u>139</u> Motion for Extension of Time and Motion for Leave to File Excess Pages(Defendants' replies in support of Defendants' Motion for Summary Judgment is due by 8/9/2013. Defendants' responses to Motion for Partial Summary Judgment is due by 8/14/2013., Plaintiff's reply in support of its Motion for Partial Summary Judgment is due by 8/26/2013.).(Signed by Judge Keith P Ellison) Parties notified.(glyons) (Entered: 07/25/2013)
07/29/2013	<u>141</u>	REPLY in Support of <u>135</u> MOTION to Amend <u>104</u> Amended Complaint/Counterclaim/Crossclaim etc., filed by Equal Employment Opportunity Commission. (Batog, Konrad) (Entered: 07/29/2013)
08/09/2013	<u>142</u>	REPLY in Support of <u>119</u> MOTION for Summary Judgment, filed by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – White Supp'l Decl., # <u>3</u> Exhibit B – EEOC Compliance Manual Excerpts, # <u>4</u> Exhibit C – Select Docs. re Gates, # <u>5</u> Exhibit D – Select Applications, # <u>6</u> Exhibit E – Blair Dismissal and Notice of Rights, # <u>7</u> Exhibit F – May 14, 2013 Hearing Excerpt, # <u>8</u> Exhibit G – Case law and Codes)(Johnston, Michael) (Entered: 08/09/2013)
08/14/2013	<u>143</u>	RESPONSE in Opposition to <u>137</u> MOTION for Partial Summary Judgment <i>That Condition Precedent of Conciliation Is Satisfied</i> , filed by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – EEOC v. Mach Mining, # <u>3</u> Exhibit B – Dictionary Pages)(Johnston, Michael) (Entered: 08/14/2013)
08/26/2013	<u>144</u>	REPLY to Response to <u>137</u> MOTION for Partial Summary Judgment <i>That Condition Precedent of Conciliation Is Satisfied</i> , filed by Equal Employment Opportunity Commission. (Juge, Gregory) (Entered: 08/26/2013)
08/28/2013	<u>145</u>	<i>Request for Oral Argument on Defendants' Motion for Summary Judgment</i> by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C., filed.(Johnston, Michael) (Entered: 08/28/2013)
09/19/2013	<u>146</u>	NOTICE of Setting as to <u>137</u> MOTION for Partial Summary Judgment <i>That Condition Precedent of Conciliation Is Satisfied</i> , <u>145</u> Document, <u>135</u> MOTION to Amend <u>104</u> Amended Complaint/Counterclaim/Crossclaim etc., <u>119</u> MOTION for Summary Judgment. Parties notified. Motion Hearing set for 10/8/2013 at 02:30 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe, 4) (Entered: 09/19/2013)
10/01/2013	<u>147</u>	Agreed MOTION to Stay <i>Litigation and Continue October 8, 2013, Hearing in Light of Government Shutdown, With Request for Expedited Consideration</i> by Equal Employment Opportunity Commission, filed. Motion Docket Date 10/22/2013. (Juge, Gregory) (Entered: 10/01/2013)
10/01/2013	<u>148</u>	ORDER granting <u>147</u> Agreed MOTION to Stay Litigation and Continue October 8, 2013, Hearing in Light of Government Shutdown.(Signed by Judge Keith P Ellison) Parties notified.(gkelner, 4) (Entered: 10/01/2013)
10/02/2013	<u>149</u>	MEMORANDUM AND ORDER DENYING <u>137</u> MOTION for Partial Summary Judgment <i>That Condition Precedent of Conciliation Is Satisfied</i> (Signed by Judge Keith P Ellison) Parties notified.(sloewe, 4) (Entered: 10/02/2013)
10/21/2013	<u>150</u>	NOTICE of Setting as to <u>119</u> MOTION for Summary Judgment. Parties notified. Motion Hearing set for 11/19/2013 at 01:30 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe, 4) (Entered: 10/21/2013)
11/19/2013		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 11/19/2013. This matter has been taken under advisement. Appearances:(Law Clerk: Bailey Heaps).(Court Reporter: Sanchez), filed.(sloewe, 4) (Entered: 12/03/2013)
03/04/2014	<u>151</u>	MEMORANDUM AND ORDER GRANTING IN PART AND DENYING IN PART <u>119</u> MOTION for Summary Judgment, GRANTING <u>135</u> MOTION to Amend <u>104</u> Amended Complaint/Counterclaim/Crossclaim etc. The case is STAYED for 30 days.(Signed by Judge Keith P Ellison) Parties notified.(sloewe, 4) (Entered: 03/04/2014)

03/04/2014	<u>152</u>	NOTICE of Setting. Parties notified. Status Conference set for 4/16/2014 at 02:30 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe, 4) (Entered: 03/04/2014)
03/17/2014	<u>153</u>	Unopposed MOTION to Reset Status Conference by Equal Employment Opportunity Commission, filed. Motion Docket Date 4/7/2014. (Juge, Gregory) (Entered: 03/17/2014)
03/18/2014	<u>154</u>	NOTICE of Resetting as to <u>152</u> Notice of Setting (FORM, noticing) – Judge Ellison. Parties notified. Status Conference set for 4/29/2014 at 11:30 AM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe, 4) (Entered: 03/18/2014)
04/08/2014	<u>155</u>	Unopposed MOTION for Extension of Time of Stay for Conciliation by 30 Days, Unopposed MOTION to Reset Status Conference(Motion Docket Date 4/29/2014.) by Equal Employment Opportunity Commission, filed. (Juge, Gregory) (Entered: 04/08/2014)
04/08/2014	<u>156</u>	ORDER granting <u>155</u> Unopposed Motion for Extension of Time of Stay, Unopposed Motion to Reset Status Conference. The Status Conference previously set for April 29, 2014 is Postponed and Reset for 6/4/2014 at 11:00 AM in Courtroom 3A Houston before Judge Keith P Ellison).(Signed by Judge Keith P Ellison) Parties notified.(rsmith, 4) (Entered: 04/08/2014)
05/08/2014	<u>157</u>	TRANSCRIPT re: Hearing held on November 19, 2013 before Judge Keith P Ellison. Court Reporter J. Sanchez. Ordering Party Gregory Juge Release of Transcript Restriction set for 8/6/2014., filed. (jsanchez,) (Entered: 05/08/2014)
05/09/2014	<u>158</u>	Notice of Filing of Official Transcript as to <u>157</u> Transcript. Party notified, filed. (hcarr, 4) (Entered: 05/09/2014)
05/30/2014	<u>159</u>	MOTION to Seal Renewed Motion for Summary Judgment by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 6/20/2014. (Johnston, Michael) (Entered: 05/30/2014)
06/02/2014	<u>160</u>	Defendants' Renewed Motion for Summary Judgment, filed. Modified on 6/20/2014 (sloewe, 4). (Entered: 06/03/2014)
06/02/2014	<u>161</u>	Defendants' Memorandum of Law in Support of Renewed Motion for Summary Judgment, filed. Modified on 6/20/2014 (sloewe, 4). (Entered: 06/03/2014)
06/02/2014	<u>162</u>	Appendix to Defendants' Memorandum of Law in Support of Renewed Motion for Summary Judgment, filed. Modified on 6/20/2014 (sloewe, 4). (Entered: 06/03/2014)
06/02/2014	<u>163</u>	Table of Unreported Cases, filed. Modified on 6/20/2014 (sloewe, 4). (Entered: 06/03/2014)
06/02/2014	<u>164</u>	Declaration of Michael W. Johnston, filed. Modified on 6/20/2014 (sloewe, 4). (Entered: 06/03/2014)
06/04/2014		Minute Entry for proceedings held before Judge Keith P Ellison. STATUS CONFERENCE held on 6/4/2014. This matter is under advisement. Appearances:(Law Clerk: Bailey Heaps). Michael W Johnston, William Robert Burns, Samuel M Matchett, Gregory T. Juge, Connie Kay Wilhite, Robert D Rose.(Court Reporter: Bruce Slavin), filed.(sloewe, 4) (Entered: 06/04/2014)
06/05/2014	<u>165</u>	AO 435 TRANSCRIPT ORDER FORM by Gregory T. Juge. This is to order a transcript of Status Conference held on 06/04/2014 before Judge Keith P Ellison (original). Court Reporter/Transcriber: Bruce Slavin, filed. (sroque, 4) (Entered: 06/05/2014)
06/05/2014	<u>166</u>	AO 435 TRANSCRIPT ORDER FORM by King & Spalding. This is to order a transcript of Status Conference held on 06/04/2014 before Judge Keith P Ellison (copy). Court Reporter/Transcriber: Bruce Slavin, filed. (sroque, 4) (Entered: 06/05/2014)
06/05/2014	<u>167</u>	TRANSCRIPT re: Status Conference held on 6-4-14 before Judge Keith P Ellison. Court Reporter/Transcriber B. Slavin. Ordering Party Plaintiff/Defendants Release of Transcript Restriction set for 9/3/2014., filed. (bslavin,) (Entered: 06/05/2014)

06/06/2014	<u>168</u>	Notice of Filing of Official Transcript as to <u>167</u> Transcript. Party notified, filed. (dhansen, 4) (Entered: 06/06/2014)
06/11/2014	<u>169</u>	CORRECTED TRANSCRIPT re: Status Conference held on 6-4-14 before Judge Keith P Ellison. Court Reporter/Transcriber B. Slavin. Ordering Party All. (Speaker identification corrected at Page 62, Line 12). Release of Transcript Restriction set for 9/9/2014., filed. (bslavin,) (Entered: 06/11/2014)
06/12/2014	<u>170</u>	Notice of Filing of Official Transcript as to <u>169</u> Transcript,. Party notified, filed. (mmapps, 4) (Entered: 06/12/2014)
06/13/2014	<u>171</u>	Fourth AMENDED COMPLAINT with Jury Demand against Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC filed by Equal Employment Opportunity Commission.(Batog, Konrad) (Entered: 06/13/2014)
06/18/2014	<u>172</u>	Supplemental BRIEF in Support , <i>Seeking Application of the Franks / Teamsters Model to the Section 706 Class Hiring Claim</i> , re: <u>60</u> MOTION for Reconsideration of <u>53</u> Memorandum and Order by Equal Employment Opportunity Commission, filed. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Appendix of Cases)(Juge, Gregory) (Entered: 06/18/2014)
06/30/2014	<u>173</u>	ANSWER to <u>171</u> Amended Complaint/Counterclaim/Crossclaim etc. with Jury Demand on all matters so triable by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed.(Johnston, Michael) (Entered: 06/30/2014)
06/30/2014	<u>174</u>	RESPONSE to <u>172</u> Brief, , filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – List of Cases Supporting Court's Holding, # <u>3</u> Exhibit B – Response to Cases Cited in EEOC's Ex. 1, # <u>4</u> Exhibit C – Excerpts from 10/22/12 Hr'g, # <u>5</u> Exhibit D – Excerpts from 05/14/13 Hr'g, # <u>6</u> Exhibit E – Excerpts from 11/19/13 Hr'g, # <u>7</u> Exhibit F – Excerpts from 06/04/14 Hr'g, # <u>8</u> Exhibit G – Letters to Hon. Keith P. Ellison)(Johnston, Michael) (Entered: 06/30/2014)
06/30/2014	<u>175</u>	APPENDIX re: <u>174</u> Response,, by Bass Pro, Inc., Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> Exhibit 1 – Adams v. Brookshire, # <u>2</u> Exhibit 2 – Ariz ex. rel Goddard v. GEO, # <u>3</u> Exhibit 3 – Baldwin v. Layton, # <u>4</u> Exhibit 4 – Bender Square v. Factory Mut. Ins., # <u>5</u> Exhibit 5 – David v. Signal (01/12), # <u>6</u> Exhibit 6 – David v. Signal (12/13), # <u>7</u> Exhibit 7 – EEOC v. Am. Samoa Gov't, # <u>8</u> Exhibit 8 – EEOC v. CRST Van Expedited, # <u>9</u> Exhibit 9 – EEOC v. Farmers Ins., # <u>10</u> Exhibit 10 – EEOC v. Global Horizons, # <u>11</u> Exhibit 11 – EEOC v. Int'l Profit (3/07), # <u>12</u> Exhibit 12 – EEOC v. Int'l Profit (3/10), # <u>13</u> Exhibit 13 – EEOC v. JBS (8/11), # <u>14</u> Exhibit 14 – EEOC v. JBS (12/11), # <u>15</u> Exhibit 15 – EEOC v. JBS (11/12), # <u>16</u> Exhibit 16 – EEOC v. O'Reilly Auto., # <u>17</u> Exhibit 17 – EEOC v. Performance Food Grp., # <u>18</u> Exhibit 18 – EEOC v. Performance Food Grp., # <u>19</u> Exhibit 19 – EEOC v. Sterling Jewelers, # <u>20</u> Exhibit 20 – Roussell v. Brinker, # <u>21</u> Exhibit 21 – White v. Am. Dental, # <u>22</u> Exhibit 22 – EEOC Guidelines (3/22/78), # <u>23</u> Exhibit 23 – Systemic Task Force Report (3/06), # <u>24</u> Exhibit 24 – EEOC v. JBS 09-28-12 Order, # <u>25</u> Exhibit 25 – EEOC v. Performance Food – Am. Compl., # <u>26</u> Exhibit 26 – 63 Am. U.L. Rev. 87 (10/13))(Johnston, Michael) (Entered: 06/30/2014)
07/08/2014	<u>176</u>	ORDER FOR SUPPLEMENTAL BRIEFING (Signed by Judge Keith P Ellison) Parties notified.(sloewe, 4) (Entered: 07/08/2014)
07/11/2014	<u>177</u>	RESPONSE in Opposition to <u>160</u> MOTION for Summary Judgment, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Declaration, # <u>2</u> Appendix of Cases)(Batog, Konrad) (Entered: 07/11/2014)
07/18/2014	<u>178</u>	REPLY in Support of <u>160</u> MOTION for Summary Judgment, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – Non-Exhaustive List of Cases Criticizing EEOC Conduct, # <u>3</u> Exhibit B – Excerpts from 11/19/13 Hr'g, # <u>4</u> Exhibit C – Excerpts from 06/04/14 Hr'g, # <u>5</u> Appendix Table of Unreported Material, # <u>6</u> 1 – Ariz. ex. rel. Goddard v. GEO Group, # <u>7</u> 2 – Dillon v. Wal-Mart, # <u>8</u> 3 – EEOC v. Am. Samoa Gov't, # <u>9</u> 4 – EEOC v. BOK Fin., # <u>10</u> 5 – EEOC v. CRST Van Expedited, # <u>11</u> 6 – EEOC v. Dillard's, # <u>12</u> 7 – EEOC v. Global Horizons, # <u>13</u> 8 – EEOC v. High Speed Enter., # <u>14</u> 9 – EEOC v. HomeNurse, # <u>15</u> 10 – EEOC v. Original HoneyBaked Ham, # <u>16</u> 11 – EEOC v. Peplemark, # <u>17</u> 12 – EEOC v. Sterling Jewelers (01/02/14), # <u>18</u> 13 – EEOC v. Sterling Jewelers (03/10/14), # <u>19</u> 14 – EEOC v. Target Corp., # <u>20</u> 15 – EEOC v.

		Tricare Reference Labs., # <u>21</u> 16 – EEOC v. Wal-Mart, # <u>22</u> 17 – Kluttz v. Worldpac, # <u>23</u> 18 – H.R. Rep. No. 113-448)(Johnston, Michael) (Entered: 07/18/2014)
07/20/2014	<u>179</u>	RESPONSE to <u>176</u> Order for Supplemental Brief, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – Excerpts from 11/19/13 Hr'g, # <u>3</u> Exhibit B – Excerpts from 6/4/14 Hr'g, # <u>4</u> Appendix List of Unreported Material, # <u>5</u> 1 – EEOC v. Am. Samoa Gov't, # <u>6</u> 2 – EEOC v. Freeman, # <u>7</u> 3 – EEOC v. Hearst Corp., # <u>8</u> 4 – EEOC v. JBS USA, # <u>9</u> 5 – EEOC v. O'Reilly Auto., # <u>10</u> 6 – EEOC v. Wal-Mart Stores, # <u>11</u> 7 – H.R. No. 102-40(I))(Johnston, Michael) (Entered: 07/20/2014)
07/20/2014	<u>180</u>	BRIEF IN RESPONSE TO COURT ORDER AND IN SUPPORT OF ECF NO. 172 RE APPLICATION OF FRANKS / TEAMSTERS MODEL OF PROOF TO SEC. 706 CLAIMS re: <u>176</u> Order by Equal Employment Opportunity Commission, filed.(Juge, Gregory) (Entered: 07/20/2014)
07/22/2014	<u>181</u>	Letter to Judge Ellison re: EEOC v. Shell Oil by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed.(Johnston, Michael) (Entered: 07/22/2014)
07/22/2014	<u>182</u>	RESPONSE to <u>181</u> Document Letter of EEOC to the Court in response to Bass Pro's letter regarding Shell Oil, filed by Equal Employment Opportunity Commission. (Juge, Gregory) (Entered: 07/22/2014)
07/23/2014	<u>183</u>	NOTICE of Withdrawal (of Carolyn Cain Burch) by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. (Burch, Carolyn) (Entered: 07/23/2014)
07/30/2014	<u>184</u>	MEMORANDUM AND ORDER denying <u>160</u> MOTION for Summary Judgment; granting <u>172</u> Motion for Application of the Franks / Teamsters Model to the Section 706 Class Hiring Claim(Signed by Judge Keith P Ellison) Parties notified.(rsmith, 4) (Entered: 07/30/2014)
08/12/2014	<u>185</u>	MOTION for Interlocutory Appeal as to <u>184</u> Memorandum and Order by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 9/2/2014. (Attachments: # <u>1</u> Appendix – Unreported Cases, # <u>2</u> 1 – EEOC v. JBS USA, LLC, # <u>3</u> 2 – EEOC v. Performance Food Group, # <u>4</u> 3 – EEOC v. Sterling Jewelers, # <u>5</u> 4 – EEOC v. Wal-Mart Stores)(Johnston, Michael) (Entered: 08/12/2014)
08/29/2014	<u>186</u>	RESPONSE in Opposition to <u>185</u> MOTION for Interlocutory Appeal as to <u>184</u> Memorandum and Order, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> APPENDIX OF CASES)(Juge, Gregory) (Entered: 08/29/2014)
09/08/2014	<u>187</u>	REPLY in Support of <u>185</u> MOTION for Interlocutory Appeal as to <u>184</u> Memorandum and Order, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> A – Excerpts from 11/19/13 Hearing Tr., # <u>3</u> B – Excerpts from 06/04/14 Hearing Tr., # <u>4</u> 1 – DuPree v. Kaye, # <u>5</u> 2 – In Re: Delta Produce v. I. Kunik Co., # <u>6</u> 3 – Luera v. The M/V Alberta, # <u>7</u> 4 – Rogers v. City of San Antonio)(Johnston, Michael) (Entered: 09/08/2014)
09/18/2014	<u>188</u>	MOTION for Rebecca Cole Moore to Appear Pro Hac Vice by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 10/9/2014. (Johnston, Michael) (Entered: 09/18/2014)
09/18/2014	<u>189</u>	MOTION for Jona J. McCormick to Appear Pro Hac Vice by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 10/9/2014. (Johnston, Michael) (Entered: 09/18/2014)
09/22/2014	<u>190</u>	ORDER granting <u>189</u> Motion for Jona J. McCormick to Appear Pro Hac Vice. (Signed by Judge Keith P Ellison) Parties notified. (wbostic, 4) (Entered: 09/22/2014)
09/22/2014	<u>191</u>	ORDER granting <u>188</u> Motion for Rebecca Cole Moore to Appear Pro Hac Vice. (Signed by Judge Keith P Ellison) Parties notified. (wbostic, 4) (Entered: 09/22/2014)
10/15/2014	<u>192</u>	NOTICE of Setting as to <u>185</u> MOTION for Interlocutory Appeal as to <u>184</u> Memorandum and Order. Parties notified. Motion Hearing set for 10/27/2014 at 10:30 AM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe, 4) (Entered: 10/15/2014)

10/27/2014		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 10/27/2014. Arguments heard. The matter is taken under advisement. Appearances:(Law Clerk: Jessica Marsden). Michael W Johnston, Rebecca Cole Moore, Gregory T. Juge, Robert D Rose, Tanya L. Goldman.(Court Reporter: Heather Hall), filed.(sloewe, 4) (Entered: 10/27/2014)
10/27/2014	<u>193</u>	EXHIBITS by Equal Employment Opportunity Commission, filed.(Juge, Gregory). (Entered: 10/27/2014)
10/29/2014	<u>194</u>	AO 435 TRANSCRIPT ORDER FORM by Leonora M. Shealy. This is to order a transcript of Motion Hearing held on 10/27/2014 before Judge Keith P Ellison (original). Court Reporter/Transcriber: Heather Hall. Transcript order Form was electronically forwarded to Court Reporter H. Hall on 10/29/2014., filed. (sroque, 4) (Entered: 10/29/2014)
11/03/2014	<u>195</u>	RESPONSE to <u>193</u> Exhibits , filed by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C.. (Attachments: # <u>1</u> Exhibit A – Chart Responding to EEOC's list of 50 cases)(Johnston, Michael) (Entered: 11/03/2014)
11/05/2014	<u>196</u>	TRANSCRIPT re: Motion Hearing held on 10/27/14 before Judge Keith P Ellison. Court Reporter/Transcriber Heather Hall. Ordering Party Lenora M. Shealy Release of Transcript Restriction set for 2/3/2015., filed. (hhall,) (Entered: 11/05/2014)
11/06/2014	<u>197</u>	Notice of Filing of Official Transcript as to <u>196</u> Transcript. Party notified, filed. (dhansen, 4) (Entered: 11/06/2014)
11/17/2014	<u>198</u>	MEMORANDUM AND ORDER GRANTING <u>185</u> MOTION for Interlocutory Appeal as to <u>184</u> Memorandum and Order (Signed by Judge Keith P Ellison) Parties notified.(sloewe, 4) (Entered: 11/17/2014)
02/02/2015	<u>199</u>	MOTION to Set Schedule for Parties to Negotiate Case Management Order (with Proposed Order) by Equal Employment Opportunity Commission, filed. Motion Docket Date 2/23/2015. (Attachments: # <u>1</u> Exhibit)(Juge, Gregory) (Entered: 02/02/2015)
02/03/2015	<u>200</u>	ORDER for EXPEDITED RESPONSE <u>199</u> MOTION to Set Schedule for Parties to Negotiate Case Management Order. Defendant's Response due by NOON 2/13/2015. Plaintiff's Reply due by NOON 2/18/2015. (Signed by Judge Keith P Ellison) Parties notified. (cfechak, 4) (Entered: 02/04/2015)
02/09/2015	<u>201</u>	NOTICE of Withdrawal of Counsel by Equal Employment Opportunity Commission, filed. (Goldman, Tanya) (Entered: 02/09/2015)
02/10/2015	<u>202</u>	Order of USCA – PER CURIAM; USCA No. 14–90044. It is ORDERED that leave to appeal from the interlocutory order of the USDC of the SDTX, Houston, entered on July 30, 2014 is GRANTED, filed. (rnieto, 1) (Entered: 02/10/2015)
02/10/2015	203	(** This entry was created for reference purposes. Pursuant to USCA order Dkt. #202). US Court of Appeals Per Curiam re: <u>184</u> Memorandum and Order filed. (bcampos, 1) Modified on 2/11/2015 (bcampos, 1). (Entered: 02/10/2015)
02/10/2015		Notice of Assignment of USCA No. 15–20078 re: 203 Notice of Appeal,, filed.(bcampos, 1) (Entered: 02/10/2015)
02/13/2015	<u>204</u>	RESPONSE in Opposition to <u>199</u> MOTION to Set Schedule for Parties to Negotiate Case Management Order (with Proposed Order), filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A– Chronology of Case Management Order Issue, # <u>3</u> Exhibit B – Excerpts from the 05/14/13 Hr'g Tr., # <u>4</u> Exhibit C – Excerpt from the 10/27/14 Hr'g Tr., # <u>5</u> Exhibit D – Excerpt from the 06/04/14 Hr'g Tr., # <u>6</u> 1 – Roussell v. Brinker, 2008 wl 2714079, # <u>7</u> 2 – Roussell v. Brinker, 2008 WL 7835721, # <u>8</u> 3 – Roussell v. Brinker, 2009 WL 6496504)(Johnston, Michael) (Entered: 02/13/2015)
02/18/2015	<u>205</u>	REPLY in Support of <u>199</u> MOTION to Set Schedule for Parties to Negotiate Case Management Order (with Proposed Order), filed by Equal Employment Opportunity Commission. (Batog, Konrad) (Entered: 02/18/2015)
02/19/2015		Appeal Filing fee: \$505 re: <u>202</u> USCA Order, receipt number HOU051692, filed. (thanniable, 4) (Entered: 02/19/2015)

02/19/2015	<u>206</u>	DKT-13 TRANSCRIPT ORDER FORM by Michael W. Johnston. Transcript is already on file in Clerks office.. This order form relates to the following: 203 Notice of Appeal, filed.(thanniable, 4) (Entered: 02/19/2015)
03/11/2015		Electronic record on appeal certified to the Fifth Circuit Court of Appeals re: USCA Case Number USCA No. 15-20078, filed.(sbejarano, 1) (Entered: 03/11/2015)
03/11/2015	<u>207</u>	Transmittal Letter on Appeal re: 203 Notice of Appeal. The electronic record on CD is being sent to Gregory T. Juge, and Michael Wayne Johnston via regular mail. (USCA No. 15-20078), filed. (sbejarano, 1) (Entered: 03/11/2015)
03/26/2015	<u>208</u>	ORDER for EXPEDITED RESPONSE Plaintiff to submit a Case Management Order and Brief due by 4/30/2015. Defenant's Responses to Proposed CMO due by 5/21/2015. Plaintiffs' Replies due by 5/31/2015. (Signed by Judge Keith P Ellison) Parties notified.(cfelchak, 4) (Entered: 03/26/2015)
03/26/2015	<u>209</u>	Unopposed MOTION to Supplement Record by Bass Pro Outdoor World, LLC, Tracker Marine, L.L.C., filed. Motion Docket Date 4/16/2015. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit A - 10/04/12 Letter to Judge Ellison, # <u>3</u> Exhibit B - 09/10/13 Letter to Judge Ellison, # <u>4</u> Exhibit C - 09/12/13 Letter to Judge Ellison, # <u>5</u> Exhibit D - 01/10/14 Letter to Judge Ellison, # <u>6</u> Exhibit E - 01/16/14 Letter to Judge Ellison, # <u>7</u> Exhibit F - 10/31/14 Letter to Judge Ellison)(Johnston, Michael) (Entered: 03/26/2015)
03/27/2015	<u>210</u>	ORDER granting <u>209</u> Motion to Supplement.(Signed by Judge Keith P Ellison) (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) Parties notified.(sloewe, 4) (Entered: 03/27/2015)
04/30/2015	<u>211</u>	MEMORANDUM IN SUPPORT OF ENTRY OF CASE MANAGEMENT ORDER by Equal Employment Opportunity Commission, filed. (Attachments: # <u>1</u> PROPOSED CASE MANAGEMENT ORDER, # <u>2</u> APPENDIX OF CASES)(Juge, Gregory) (Entered: 04/30/2015)
05/14/2015	<u>212</u>	MOTION for Lovita T Tandy to Appear Pro Hac Vice by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 6/4/2015. (Matchett, Samuel) (Entered: 05/14/2015)
05/15/2015	<u>213</u>	ORDER granting <u>212</u> Motion for Lovita Tandy to Appear Pro Hac Vice.(Signed by Judge Keith P Ellison) Parties notified.(amwilliams, 4) (Entered: 05/15/2015)
05/21/2015	<u>214</u>	RESPONSE to <u>211</u> Memorandum <i>in Support of Entry of Case Management Order</i> , filed by Bass Pro, Inc., Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A - Responses to Stage I Discovery Parameters in the EEOC's PCMO and Case Management Order, # <u>3</u> Exhibit 1-2 - Signal Pleadings, # <u>4</u> Exhibit 3-4 - Cintas Pleadings, # <u>5</u> Exhibit 5 - Dollar General Pleadings, # <u>6</u> Exhibit 6-7 - Freeman Pleadings, # <u>7</u> Exhibit 8 - Guardsmark Pleading, # <u>8</u> Exhibit 9-10 - Honeybaked Ham Pleadings, # <u>9</u> Exhibit 11 - JBS Pleading, # <u>10</u> Exhibit 12-14 Kaplan Pleadings, # <u>11</u> Exhibit 15 - Kaplan Opinion, # <u>12</u> Exhibit 16 - LA Weight Loss Pleading, # <u>13</u> Exhibit 17 - McCormick & Schmick Pleading, # <u>14</u> Exhibit 18 - PMT Pleading, # <u>15</u> Exhibit 19-20 - Princeton Health Pleadings, # <u>16</u> Exhibit 21 - Scrub Pleading, # <u>17</u> Exhibit 22 - Sterling Jewelers Pleading, # <u>18</u> Exhibit 23-24 - Tex. Roadhouse Pleadings, # <u>19</u> Exhibit 25-39 - Caselaw)(Johnston, Michael) (Entered: 05/21/2015)
05/22/2015		Supplemental Electronic record on appeal certified to the Fifth Circuit Court of Appeals re: USCA Case Number USCA No. 15-20078, filed.(dahumada, 1) (Entered: 05/22/2015)
05/22/2015	<u>215</u>	Transmittal Letter on Appeal re: 203 Notice of Appeal. The electronic supplemental record on CD is being sent to Michael Johnston, Samuel Matchett, Jona Jne McCormick, Rebecaa Moore, James Patrick Sullivan. (USCA No. 15-20078), filed. (dahumada, 1) (Entered: 05/22/2015)
05/26/2015	<u>216</u>	Unopposed MOTION for Entry of Order re: Permitting the Withdrawal of Carolyn Cain Burch by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 6/16/2015. (Attachments: # <u>1</u> Proposed Order)(Johnston, Michael) (Entered: 05/26/2015)

05/27/2015	<u>217</u>	ORDER granting <u>216</u> Unopposed MOTION for Entry of Order re: Permitting the Withdrawal of Carolyn Cain Burch, Attorney Carolyn Cain Burch withdrawn from the docket.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 05/27/2015)
06/01/2015	<u>218</u>	REPLY <i>in Support of Entry of Case Management Order</i> , filed by Equal Employment Opportunity Commission. (Juge, Gregory) (Entered: 06/01/2015)
06/03/2015	<u>219</u>	RESPONSE to <u>218</u> Reply , filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Johnston, Michael) (Entered: 06/03/2015)
06/10/2015	<u>220</u>	MOTION Leave of Absence by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 7/1/2015. (Attachments: # <u>1</u> Proposed Order)(Johnston, Michael) (Entered: 06/10/2015)
06/11/2015	<u>221</u>	ORDER granted <u>220</u> MOTION Leave of Absence. Michael W. Johnson granted leave of absence for the period of July 31, 2015 through August 14, 2015. (Signed by Judge Keith P Ellison) Parties notified. (cfelchak, 4) (Entered: 06/11/2015)
06/24/2015	<u>222</u>	NOTICE of Setting. Parties notified. Status Conference set for 7/21/2015 at 11:00 AM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe, 4) (Entered: 06/24/2015)
07/02/2015	<u>223</u>	ORDER Status Conference set for 7/21/2015 at 11:00 AM in Courtroom 3A before Judge Keith P Ellison (Signed by Judge Keith P Ellison) Parties notified. (cfelchak, 4) (Entered: 07/07/2015)
07/21/2015	<u>224</u>	MEMORANDUM AND ORDER (Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 07/22/2015)
07/21/2015		Minute Entry for proceedings held before Judge Keith P Ellison. STATUS CONFERENCE held on 7/21/2015. The parties make oral arguments regarding appropriate case management plan during the pendency of interlocutory appeal filed by the Defts. The Court to issue an opinion on the matter. Appearances: Michael W Johnston, Samuel M Matchett, Rebecca Cole Moore, Gregory T. Juge, Connie Kay Wilhite.(Court Reporter: H. Alcaraz)(LC: J. Marsden), filed.(arrivera, 4) (Entered: 07/22/2015)
08/03/2015	<u>225</u>	AO 435 TRANSCRIPT ORDER FORM by Lenora Shealy. This is to order a transcript of Motion Hearing held on July 21, 2015 before Judge Keith P Ellison (original). Court Reporter/Transcriber: Heather Alcaraz, filed. (sroque, 4) (Entered: 08/03/2015)
08/10/2015	<u>226</u>	TRANSCRIPT re: Motion Hearing held on 7/21/15 before Judge Keith P Ellison. Court Reporter Heather Alcaraz. Ordering Party Lenora Shealy. Release of Transcript Restriction set for 11/9/2015., filed. (halcaraz,) (Entered: 08/10/2015)
08/11/2015	<u>227</u>	Notice of Filing of Official Transcript as to <u>226</u> Transcript. Party notified, filed. (jdav, 4) (Entered: 08/11/2015)
09/11/2015	<u>228</u>	MOTION for Protective Order by Equal Employment Opportunity Commission, filed. Motion Docket Date 10/2/2015. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Proposed Order)(Bowne, Timothy) (Entered: 09/11/2015)
09/22/2015	<u>229</u>	Agreed MOTION for Extension of Time to File Response to Plaintiff's Motion for Protective Order to Quash Defendants' Noticed Rule 30(b)(6) Deposition by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 10/13/2015. (Attachments: # <u>1</u> Proposed Order)(Johnston, Michael) (Entered: 09/22/2015)
09/24/2015	<u>230</u>	ORDER granting <u>229</u> Agreed MOTION for Extension of Time to File Response to Plaintiff's Motion for Protective Order to Quash Defendants' Noticed Rule 30(b)(6) Deposition. Defendants' Response due on October 16, 2015. EEOC shall have ten days from the date Defendants' Response is filed to file a reply in support of its Motion for Protective Order, as provided in Item 7(A) of the Court Procedures. (Signed by Judge Keith P Ellison) Parties notified.(olindor, 4) (Entered: 09/24/2015)
09/24/2015	<u>231</u>	MOTION for Konrad Batog to Withdraw as Attorney by Equal Employment Opportunity Commission, filed. Motion Docket Date 10/15/2015. (Batog, Konrad) (Entered: 09/24/2015)

09/25/2015	<u>232</u>	ORDER granting <u>231</u> Motion to Withdraw as Attorney. Attorney Konrad Batog terminated. (Signed by Judge Keith P Ellison) Parties notified. (wbostic, 4) (Entered: 09/25/2015)
10/16/2015	<u>233</u>	RESPONSE in Opposition to <u>228</u> MOTION for Protective Order, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – Email from G. Juge to M. Johnston, # <u>3</u> Exhibit B – EEOC Resps. to First Interrogs., # <u>4</u> Exhibit C – EEOC Resps. to First Req. for Prod., # <u>5</u> Exhibit D – Decl. of J. Sargent, # <u>6</u> Exhibit E – Decl. of J. Morris, # <u>7</u> Exhibit F – Decl. of J. Hagale, # <u>8</u> Exhibit G – Decl. of M. Rowland, # <u>9</u> Exhibit H – Email from M. Johnston to T. Bowne, # <u>10</u> Exhibit I – Court Pleadings re EEOC v. Pioneer Hotel, Inc., # <u>11</u> Exhibit 2 – Court Pleadings re EEOC v. Texas Roadhouse, Inc., # <u>12</u> Exhibit 3–32 – Case Law, # <u>13</u> Exhibit 33 – Reg'l Attorney's Manual, Part 3: Conducting Litigation)(Johnston, Michael) (Entered: 10/16/2015)
10/16/2015	<u>234</u>	MOTION for Reconsideration of <u>224</u> Memorandum and Order, MOTION to Stay <i>Discovery Pending Resolution of Fifth Circuit Appeal and Entry of Viable Case Management Order</i> (Motion Docket Date 11/6/2015.) by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – Sargent Declaration, # <u>3</u> Exhibit B – Pl.'s First Interrogatories, # <u>4</u> Exhibit C – Second Tucker Declaration, # <u>5</u> Exhibit D – Pl.'s First RFP, # <u>6</u> Exhibit E – Pl.'s Resp. to Defs.' First Interrogs., # <u>7</u> Exhibit F – Pl.'s Resp. to Defs.' First RFP, # <u>8</u> Exhibit Case Law)(Johnston, Michael) (Entered: 10/16/2015)
10/23/2015	<u>235</u>	Ex Parte MOTION for Extension of Time TO FILE REPLY CONCERNING MOTION FOR PROTECTIVE ORDER TO QUASH NOTICE OF 30(b)(6) DEPOSITION by Equal Employment Opportunity Commission, filed. Motion Docket Date 11/13/2015. (Juge, Gregory) (Entered: 10/23/2015)
10/23/2015	<u>236</u>	RESPONSE in Opposition to <u>235</u> Ex Parte MOTION for Extension of Time TO FILE REPLY CONCERNING MOTION FOR PROTECTIVE ORDER TO QUASH NOTICE OF 30(b)(6) DEPOSITION, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Exhibit A – E-mail from G. Juge, # <u>2</u> Exhibit B – E-mail from R. Moore)(Johnston, Michael) (Entered: 10/23/2015)
10/26/2015	<u>237</u>	REPLY to Response to <u>228</u> MOTION for Protective Order, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> case -- 2015 WL 4610284)(Juge, Gregory) (Entered: 10/26/2015)
10/28/2015	<u>238</u>	Unopposed MOTION for Leave to File Additional Briefing Regarding EEOC's Motion for Protective Order to Quash Defendants' Notice of Rule 30(b)(6) Deposition by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 11/18/2015. (Johnston, Michael) (Entered: 10/28/2015)
10/28/2015	<u>239</u>	ORDER granting <u>238</u> Motion for Leave to File Additional Briefing Regarding EEOC's Motion for Protective Order to Quash Defendants' Notice of Rule 30(b)(6) Deposition. (Signed by Judge Keith P Ellison) Parties notified. (wbostic, 4) (Entered: 10/29/2015)
10/30/2015	<u>240</u>	ORDER denying as moot <u>235</u> Motion for Extension of Time. (Signed by Judge Keith P Ellison) Parties notified. (wbostic, 4) (Entered: 10/30/2015)
10/30/2015	<u>241</u>	SURREPLY to <u>228</u> MOTION for Protective Order, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit 1 – Blanks v. Lockheed, # <u>3</u> Exhibit 2 – Brody v. Zix, # <u>4</u> Exhibit 3 – EEOC v. Anchor Hocking, # <u>5</u> Exhibit 4 – EEOC v. Consolidated Edison, # <u>6</u> Exhibit 5 – EEOC v. FAPS, # <u>7</u> Exhibit 6 – EEOC v. Peoplemark, # <u>8</u> Exhibit 7 – Giezie v. Valley Health, # <u>9</u> Exhibit 8 – In re: Kleberg Cnty, Tex)(Johnston, Michael) (Entered: 10/30/2015)
11/06/2015	<u>242</u>	RESPONSE in Opposition to <u>234</u> MOTION for Reconsideration of <u>224</u> Memorandum and Order MOTION to Stay <i>Discovery Pending Resolution of Fifth Circuit Appeal and Entry of Viable Case Management Order</i> , filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Case – Estate of Rubenstein, # <u>2</u> Case – Wilson v. Liberty)(Juge, Gregory) (Entered: 11/06/2015)
11/06/2015	<u>243</u>	MEMORANDUM In Response TO DEFENDANTS SUR-REPLY IN OPPOSITION TO THE EEOCS MOTION FOR PROTECTIVE ORDER TO QUASH DEFENDANTS NOTICE OF RULE 30(b)(6) DEPOSITION by Equal Employment Opportunity Commission, filed. (Attachments: # <u>1</u> Case – EEOC v. Autozone)(Juge, Gregory)

		(Entered: 11/06/2015)
11/16/2015	<u>244</u>	REPLY in Support of <u>234</u> MOTION for Reconsideration of <u>224</u> Memorandum and Order MOTION to Stay <i>Discovery Pending Resolution of Fifth Circuit Appeal and Entry of Viable Case Management Order</i> , filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> EEOC v. Faps, Doc. 192)(Johnston, Michael) (Entered: 11/16/2015)
12/11/2015	<u>245</u>	MOTION for Protective Order by Equal Employment Opportunity Commission, filed. Motion Docket Date 1/1/2016. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3 – appendix of cases)(Juge, Gregory) (Entered: 12/11/2015)
12/18/2015	<u>246</u>	First MOTION to Compel Discovery in Response to Request for Production Number 14 by Equal Employment Opportunity Commission, filed. Motion Docket Date 1/8/2016. (Attachments: # <u>1</u> Excerpts from Def. Discovery Responses, # <u>2</u> Proposed Order, # <u>3</u> Unreported cases)(Juge, Gregory) (Entered: 12/18/2015)
12/21/2015	<u>247</u>	Unopposed MOTION for Extension of Time to Respond to EEOC's Motion for Protective Order and EEOC's Motion to Compel by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 1/11/2016. (Attachments: # <u>1</u> Proposed Order)(McCormick, Jona) (Entered: 12/21/2015)
12/21/2015	<u>248</u>	ORDER granting <u>247</u> Unopposed MOTION for Extension of Time to Respond to EEOC's Motion for Protective Order and EEOC's Motion to Compel. Defendant's Response in Opposition to EEOC's Motion for Protective Order is due on January 19, 2016. Defendant's Response in Opposition to EEOC's First Motion to Compel Discovery is due on January 25,2016.(Signed by Judge Keith P Ellison) Parties notified.(olindor, 4) (Entered: 12/22/2015)
01/19/2016	<u>249</u>	RESPONSE in Opposition to <u>245</u> MOTION for Protective Order, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – 10/12/15 – 12/17/15 Emails, # <u>3</u> Exhibit B – 03/23/12 – 05/22/12 Emails, # <u>4</u> Exhibit C – 12/17/15 – 01/04/16 Emails, # <u>5</u> Exhibit D – Defendants' Protective Order, # <u>6</u> Exhibit E – Redlined Protective Order, # <u>7</u> Exhibit F – Redlined copy for Dispute, # <u>8</u> Exhibit G 12/01/15 – 01/13/16 Emails)(Johnston, Michael) (Entered: 01/19/2016)
01/19/2016	<u>250</u>	APPENDIX re: <u>249</u> Response in Opposition to Motion,, by Bass Pro, Inc., Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> Exhibit H-1 – EEOC v. United Health, # <u>2</u> Exhibit H-2 – EEOC v. BNV, # <u>3</u> Exhibit H-3 – EEOC v. PMT, # <u>4</u> Exhibit H-4 – EEOC v. Waste, # <u>5</u> Exhibit H-5 – EEOC v. Texas Roadhouse, # <u>6</u> Exhibit H-6 – EEOC v. Performance Food, # <u>7</u> Exhibit H-7 – EEOC v. Dollar General, # <u>8</u> Exhibit H-8 – EEOC v. Fred Fuller, # <u>9</u> Exhibit H-9 – EEOC v. UOM, # <u>10</u> Exhibit H-10 – EEOC v. Port Auth., # <u>11</u> Exhibit H-11 – EEOC v. Kohl, # <u>12</u> Exhibit H-12 – EEOC v. DynMerDermott, # <u>13</u> Exhibit H-13 – EEOC v. Kaplan, # <u>14</u> Exhibit H-14 – EEOC v. Res. for Human Dev., # <u>15</u> Exhibit H-15 – EEOC v. BoH Bros., # <u>16</u> Exhibit H-16 – EEOC v. Guardsmark LLC, # <u>17</u> Exhibit H-17 – EEOC v. Finsh, # <u>18</u> Exhibit H-18 – EEOC v. ISEI, # <u>19</u> Exhibit H-19 – EEOC v. Saks, # <u>20</u> Exhibit H-20 – EEOC v. Air Liquide, # <u>21</u> Exhibit 21-27 Unreported Decisions)(Johnston, Michael) (Entered: 01/20/2016)
01/20/2016	<u>251</u>	APPENDIX re: <u>249</u> Response in Opposition to Motion,, by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> 21 – Bridge v. Credit One, # <u>2</u> 22 – Dahdal v. Thorn Ams., # <u>3</u> 23 – FDIC v. Flamingo, # <u>4</u> 24 – Loritz v. Pfingst, # <u>5</u> 25 – Mike v. Dymon, # <u>6</u> 26 – United Surgical v. Stitt, # <u>7</u> 27 – Excerpt from Manual for Complex Litigation)(Johnston, Michael) (Entered: 01/20/2016)
01/23/2016	<u>252</u>	Unopposed MOTION for Extension of Time to Respond to EEOC's Motion to Compel by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 2/16/2016. (Attachments: # <u>1</u> Exhibit A – Emails, # <u>2</u> Proposed Order)(Johnston, Michael) (Entered: 01/23/2016)
01/25/2016	<u>253</u>	ORDER granting <u>252</u> Motion for Extension of Time Responses due by 2/22/2016..(Signed by Judge Keith P Ellison) Parties notified.(sloewe, 4) (Entered: 01/25/2016)

01/25/2016	<u>254</u>	Unopposed MOTION for Extension of Time DEADLINE TO FILE REPLY CONCERNING MOTION FOR PROTECTIVE ORDER TO PROTECT CONFIDENTIAL INFORMATION by Equal Employment Opportunity Commission, filed. Motion Docket Date 2/16/2016. (Juge, Gregory) (Entered: 01/25/2016)
01/26/2016	<u>255</u>	ORDER granting <u>254</u> Motion for Extension of Time. Reply Brief due by 2/5/2016..(Signed by Judge Keith P Ellison) Parties notified.(jdav, 4) (Entered: 01/26/2016)
02/04/2016	<u>256</u>	MOTION for Robert D. Rose to Withdraw as Attorney by Equal Employment Opportunity Commission, filed. Motion Docket Date 2/25/2016. (Rose, Robert) (Entered: 02/04/2016)
02/05/2016	<u>257</u>	REPLY to Response to <u>245</u> MOTION for Protective Order, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 1)(Juge, Gregory) (Entered: 02/05/2016)
02/08/2016	<u>258</u>	ORDER granting <u>256</u> MOTION for Robert D. Rose to Withdraw as Attorney. (Signed by Judge Keith P Ellison) Parties notified.(olindor, 4) (Entered: 02/08/2016)
02/11/2016	<u>259</u>	NOTICE of Setting as to <u>228</u> MOTION for Protective Order, <u>234</u> MOTION for Reconsideration of <u>224</u> Memorandum and Order MOTION to Stay <i>Discovery Pending Resolution of Fifth Circuit Appeal and Entry of Viable Case Management Order</i> . Parties notified. Motion Hearing set for 2/19/2016 at 11:00 AM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe, 4) (Entered: 02/11/2016)
02/12/2016	<u>260</u>	NOTICE of Filing Corrected Page re: <u>249</u> Response in Opposition to Motion,, by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> Corrected Page 2)(Tandy, Lovita) (Entered: 02/12/2016)
02/19/2016		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 2/19/2016 DENYING <u>234</u> MOTION for Reconsideration of <u>224</u> Memorandum and Order MOTION to Stay <i>Discovery Pending Resolution of Fifth Circuit Appeal and Entry of Viable Case Management Order</i> , TERMINATED AS STAYED <u>228</u> MOTION for Protective Order. Discovery is stayed pending the Court's ruling on the Motion for Protection Order and Plaintiff's Motion to Compel. Appearances:(Law Clerk: J. Levin).(Court Reporter: Kathy Miller), filed.(sloewe, 4) (Entered: 02/19/2016)
02/22/2016	<u>261</u>	AO 435 TRANSCRIPT REQUEST by Bass Pro/Michael W. Johnston for Transcript of Motion Hearing on 02/19/16 before Judge Ellison. Daily (24 hours) turnaround requested. Court Reporter/Transcriber: Kathleen Miller, filed. (Johnston, Michael) (Entered: 02/22/2016)
02/22/2016	<u>262</u>	Unopposed MOTION for Extension of Time For the Parties' Briefing on the EEOC's First Motion to Compel (Doc. 246)(Motion Docket Date 3/14/2016.), Unopposed MOTION for Leave to File Additional Briefing Relating to EEOC's Motion for Protective Order (Doc. 245) by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> Proposed Order)(Johnston, Michael) (Entered: 02/22/2016)
02/22/2016	<u>263</u>	AO 435 TRANSCRIPT REQUEST by EEOC/Gregory T. Juge for Transcript of Motion Hearing on 2/19/16 before Judge Ellison. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Kathleen Miller, filed. (Bowne, Timothy) (Entered: 02/22/2016)
02/22/2016	<u>264</u>	ORDER granting <u>262</u> Motion for Extension of Time for Parties' Briefing on the Motion to Compel and Leave to file additional briefing.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 02/23/2016)
02/25/2016	<u>265</u>	TRANSCRIPT re: Hearing held on February 19, 2016 before Judge Keith P Ellison. Court Reporter/Transcriber Kathleen Miller. Ordering Party Michael Johnston Release of Transcript Restriction set for 5/25/2016., filed. (kmiller,) (Entered: 02/25/2016)
02/26/2016	<u>266</u>	Notice of Filing of Official Transcript as to <u>265</u> Transcript. Party notified, filed. (hcarr, 4) (Entered: 02/26/2016)

03/01/2016	<u>267</u>	Unopposed MOTION for Extension of Time to File Sur-Reply to Plaintiff's Motion for Protective Order to Protect Confidential Information by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 3/22/2016. (Attachments: # <u>1</u> Proposed Order)(Tandy, Lovita) (Entered: 03/01/2016)
03/01/2016	<u>268</u>	ORDER granting <u>267</u> Motion for Extension of Time; Motion-related deadline set re: <u>245</u> MOTION for Protective Order. Sur-Reply due by 3/4/2016.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 03/01/2016)
03/01/2016	<u>269</u>	RESPONSE in Opposition to <u>246</u> First MOTION to Compel Discovery in Response to Request for Production Number 14, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Exhibit P, # <u>18</u> Exhibit Q, # <u>19</u> Exhibit R, # <u>20</u> Exhibit S, # <u>21</u> Exhibit T, # <u>22</u> Exhibit U, # <u>23</u> Exhibit 1, # <u>24</u> Exhibit 2, # <u>25</u> Exhibit 3, # <u>26</u> Exhibit 4, # <u>27</u> Exhibit 5, # <u>28</u> Exhibit 6, # <u>29</u> Exhibit 7)(Johnston, Michael) (Entered: 03/01/2016)
03/04/2016	<u>270</u>	SURREPLY to <u>245</u> MOTION for Protective Order, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A - Excerpts from Hr'g Tr., # <u>3</u> Exhibit B - E-mails between Tandy and Juge, # <u>4</u> Exhibit C - E-mails between Tandy and Juge, # <u>5</u> Exhibit D - EEOC v. Bok Fin. Doc. 71, # <u>6</u> Exhibit E - Shealy Decl., # <u>7</u> Exhibit F - Letter from Damiani, # <u>8</u> Exhibit G - In re Ceridian, # <u>9</u> Exhibit H - Cal. Civ. Code, # <u>10</u> Exhibit I - EEOC v. Texas Roadhouse - Doc. 309, # <u>11</u> Exhibit J - Email from Tandy to Juge, # <u>12</u> Exhibit K - EEOC v. Texas Roadhouse - Doc. 382, # <u>13</u> Exhibit L - EEOC v. Texas Roadhouse - Doc. 365)(Tandy, Lovita) (Entered: 03/04/2016)
03/16/2016	<u>271</u>	Corrected RESPONSE in Opposition to <u>246</u> First MOTION to Compel Discovery in Response to Request for Production Number 14, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Johnston, Michael) (Entered: 03/16/2016)
03/18/2016	<u>272</u>	REPLY in Support of <u>245</u> MOTION for Protective Order, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit 1: EEOC v. Guardsmark, # <u>2</u> Exhibit 2: Unreported Case)(Wilhite, Connie) (Entered: 03/18/2016)
03/22/2016	<u>273</u>	REPLY to Response to <u>246</u> First MOTION to Compel Discovery in Response to Request for Production Number 14, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> TYSON FOODS, INC., PETITIONER v. PEG BOUAPHAKEO, et..., ---- S.Ct. ---- (2016))(Juge, Gregory) (Entered: 03/22/2016)
03/30/2016	<u>274</u>	Opposed MOTION for Leave to File Motion to Compel by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 4/20/2016. (Attachments: # <u>1</u> Appendix, # <u>2</u> Proposed Order, # <u>3</u> Exhibit A - Motion to Compel, # <u>4</u> Exhibit A - Motion to Compel Exs. A-V, # <u>5</u> Exhibit A - Motion to Compel Exs. 1-24, # <u>6</u> Exhibit B - Pl.'s Interrog. Responses, # <u>7</u> Exhibit C - Pl.'s RFP Responses, # <u>8</u> Exhibit D - 08/12/15 E-mail, # <u>9</u> Exhibit E - 08/28/15 E-mail, # <u>10</u> Exhibit F - 02/12/16 Letter, # <u>11</u> Exhibit G - Excerpts from Appellee's Br, # <u>12</u> Exhibit 1 - 10/30/15 Letter, # <u>13</u> Exhibit 2 - 11/17/15 Letter, # <u>14</u> Exhibit 3 - 12/09/15 Letter, # <u>15</u> Exhibit 4 - 12/23/15 Letter, # <u>16</u> Exhibit 5 - 01/20/16 Letter, # <u>17</u> Exhibit 6 - 02/22/16 E-mail, # <u>18</u> Exhibit 7 - 03/28/16 Email, # <u>19</u> Exhibit 8 - EEOC v. Peplemark, # <u>20</u> Exhibit 9 - Hall v. GE Plastic)(Johnston, Michael) (Entered: 03/30/2016)
04/07/2016	<u>275</u>	Unopposed MOTION for Leave to File Additional Briefing Regarding EEOC's First Motion to Compel Discovery in Response to Request for Production Number 14 by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 4/28/2016. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit A - Defs.' Sur-reply in Opp. to EEOC's 1st MTC Discovery in Resp. to RFP No. 14, # <u>3</u> Appendix to Defs.' Sur-reply, # <u>4</u> Exhibit A - Appellee's Brief Excerpts, # <u>5</u> Exhibit B - May 25, 2007 RFI, # <u>6</u> Exhibit C - 2007 New Hire Reports, # <u>7</u> Exhibit D - Pearl New Hire Report, # <u>8</u> Exhibit E - June 9, 2009 RFI, # <u>9</u> Exhibit 1 - An Art of War Lesson Applied to Mass Torts, # <u>10</u> Exhibit 2 - In re Vioxx Prods. Liability Litig., # <u>11</u> Exhibit 3 - Solorzano v. Shell Chem. Co., # <u>12</u> Exhibit 4 - Tyson Foods Inc v. Bouaphakeo)(Johnston, Michael) (Entered: 04/07/2016)

04/08/2016	<u>276</u>	ORDER granting <u>275</u> Motion for Leave to File Additional Briefing.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 04/08/2016)
04/08/2016	<u>277</u>	SURREPLY to <u>246</u> First MOTION to Compel Discovery in Response to Request for Production Number 14, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (arrivera, 4) (Entered: 04/08/2016)
04/20/2016	<u>278</u>	RESPONSE in Opposition to <u>274</u> Opposed MOTION for Leave to File Motion to Compel, filed by Equal Employment Opportunity Commission. (Juge, Gregory) (Entered: 04/20/2016)
04/25/2016	<u>279</u>	Second REPLY in Support of <u>246</u> First MOTION to Compel Discovery in Response to Request for Production Number 14, filed by Equal Employment Opportunity Commission. (Juge, Gregory) (Entered: 04/25/2016)
04/29/2016	<u>280</u>	REPLY to Response to <u>274</u> Opposed MOTION for Leave to File Motion to Compel, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Johnston, Michael) (Entered: 04/29/2016)
06/20/2016	<u>281</u>	ORDER (Signed by Judge Keith P Ellison) Parties notified.(sloewe, 4) (Entered: 06/20/2016)
07/08/2016	<u>282</u>	STATUS REPORT by Equal Employment Opportunity Commission, filed.(Juge, Gregory) (Entered: 07/08/2016)
07/08/2016	<u>283</u>	MOTION FOR RULING THAT POST-LOD APPLICANTS ARE ELIGIBLE AS § 706 CLASS MEMBERS by Equal Employment Opportunity Commission, filed. Motion Docket Date 7/29/2016. (Attachments: # <u>1</u> Proposed Order)(Juge, Gregory) (Entered: 07/08/2016)
07/22/2016	<u>284</u>	Unopposed MOTION for Extension of Time for Defendants to respond to EEOC's Motion for Ruling that Post-LOD Applicants are Eligible as Sec. 706 Class Members by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 8/12/2016. (Attachments: # <u>1</u> Proposed Order)(Johnston, Michael) (Entered: 07/22/2016)
07/22/2016	<u>285</u>	ORDER Granting <u>284</u> Unopposed MOTION for Extension of Time for Defendants to respond to EEOC's Motion for Ruling that Post-LOD Applicants are Eligible as Sec. 706 Class Members by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC Bass Pro Responses due by 8/15/2016. EEOC Replies due by 9/2/2016.(Signed by Judge Keith P Ellison) Parties notified.(jguajardo, 4) (Entered: 07/22/2016)
07/26/2016	<u>286</u>	NOTICE of Setting. Parties notified. Status Conference set for 8/5/2016 at 11:00 AM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (sloewe, 4) (Entered: 07/26/2016)
07/27/2016	<u>287</u>	NOTICE of Resetting as to <u>286</u> Notice of Setting. Parties notified. Status Conference set for 8/5/2016 at 01:30 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed. TIME CHANGE ONLY. (arrivera, 4) (Entered: 07/27/2016)
07/28/2016	<u>288</u>	ORDER ; Motion Hearing set for all pending motions on 8/5/2016 at 01:30 PM in Courtroom 3A Houston before Judge Keith P Ellison).(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 07/28/2016)
08/05/2016		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 8/5/2016. EEOCs Mot. Quash Defendants 30(b)(6) Deposition (Doc. No. <u>228</u>) is DENIED. The 30(b)(6) deposition of the EEOC will proceed; the parties can inform the Court if they wish the deposition to be court-supervised. EEOCs Mot. Compel Response to RFP No. 14 (Doc. No. <u>246</u>) is STAYED pending the Courts consideration of Bass Pros briefing regarding the impact of Tyson Foods, Inc. v. Bouaphakeo et al on this case. The parties should confer and inform the Court of a proposed briefing schedule. EEOCs Mot. Protective Order to Protect Confidential Information (Doc. No. <u>245</u>) is GRANTED IN PART AND DENIED IN PART as stated at the hearing. Bass Pros Motion for Leave to File Motion to Compel (Doc. No. <u>274</u>) is GRANTED. Appearances: Michael W Johnston, Rebecca Cole Moore, Lovita T. Tandy, Gregory T. Juge, Connie Wilhite Gatlin.(Court Reporter: K. Metzger), filed.(arrivera, 4) (Entered: 08/10/2016)

08/09/2016	<u>289</u>	AO 435 TRANSCRIPT REQUEST by Michael W. Johnston for Transcript of Status Conference on 08/05/16 before Judge Ellison. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Kathy Metzger, filed. (Johnston, Michael) (Entered: 08/09/2016)
08/09/2016	<u>290</u>	AO 435 TRANSCRIPT REQUEST by EEOC / Gregory T. Juge for Transcript of Status conference, 8/5/2016, Judge Ellison. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Kathy Metzger, filed. (Juge, Gregory) (Entered: 08/09/2016)
08/10/2016	<u>291</u>	AO 435 TRANSCRIPT REQUEST by Michael W. Johnston for Transcript of 08/05/2016, Judge Keith P.Ellison. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Kathy Metzger, (ERROR) THIS REQUEST WAS DOCKETED TWICE, SAME REQUEST AS DKT.# 289. filed. (sroque, 4) Modified on 8/12/2016 (sroque, 4). (Entered: 08/10/2016)
08/11/2016	<u>292</u>	Unopposed MOTION for Extension of Time to File Motion to Compel by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 9/1/2016. (Attachments: # <u>1</u> Proposed Order)(Johnston, Michael) (Entered: 08/11/2016)
08/12/2016	<u>293</u>	ORDER granting <u>292</u> Motion for Extension of Time to File Motion to Compel. (Signed by Judge Keith P Ellison) Parties notified.(gclair, 4) (Entered: 08/12/2016)
08/14/2016	<u>294</u>	TRANSCRIPT re: Motion Hearing held on 8/5/2016 before Judge Keith P Ellison. Court Reporter/Transcriber K. Metzger. Release of Transcript Restriction set for 11/14/2016, filed. (kmetzger) (Entered: 08/14/2016)
08/15/2016	<u>295</u>	Notice of Filing of Official Transcript as to <u>294</u> Transcript. Party notified, filed. (hcarr, 4) (Entered: 08/15/2016)
08/15/2016	<u>296</u>	RESPONSE in Opposition to <u>283</u> MOTION FOR RULING THAT POST-LOD APPLICANTS ARE ELIGIBLE AS § 706 CLASS MEMBERS, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Johnston, Michael) (Entered: 08/15/2016)
08/19/2016	<u>297</u>	MOTION to Set Schedule for Briefing on Tyson Argument by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 9/9/2016. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit A – E-mails)(Johnston, Michael) (Entered: 08/19/2016)
08/19/2016	<u>298</u>	MOTION for Entry of Order re: Briefing Schedule Concerning Tyson by Equal Employment Opportunity Commission, filed. Motion Docket Date 9/9/2016. (Juge, Gregory) (Entered: 08/19/2016)
08/19/2016	<u>299</u>	MOTION to Stay <i>30(b)(6) DEPOSITION OF EEOC PENDING COURT DECISION ON BRIEFING CONCERNING TYSON</i> by Equal Employment Opportunity Commission, filed. Motion Docket Date 9/9/2016. (Juge, Gregory) (Entered: 08/19/2016)
08/21/2016	<u>300</u>	First MOTION to Compel Discovery Responses by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 9/12/2016. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – 02/12/16 Letter from T. Bowne, # <u>3</u> Exhibit B – Pl.'s 2nd Am. Resp. to 1st RFP, # <u>4</u> Exhibit C – Pl.'s Resp. to 1st Interrogs., # <u>5</u> Exhibit D – Pl.'s Resp. to 2nd Disc. Requests and 1st RFA, # <u>6</u> Exhibit E – Defs.' 1st Interrogs, # <u>7</u> Exhibit F – Defs.' 1st RFP, # <u>8</u> Exhibit G – 10/30/15 Letter from L. Tandy, # <u>9</u> Exhibit H – 11/17/15 Letter from T. Bowne, # <u>10</u> Exhibit I – 12/09/15 Letter from L. Tandy, # <u>11</u> Exhibit J – 12/23/15 Letter from T. Bowne, # <u>12</u> Exhibit K – 01/20/16 Letter from L. Tandy, # <u>13</u> Exhibit L – 02/09/16 Letter from L. Tandy, # <u>14</u> Exhibit M – 02/09/16 Letter from L. Tandy, # <u>15</u> Exhibit N – 10/27/15 E-mail from G. Juge, # <u>16</u> Exhibit O – 10/20/15 E-mail from M. Johnston, # <u>17</u> Exhibit P – Excerpts from Pl.'s Initial Disclosures, # <u>18</u> Exhibit Q – Excerpts from Pl.'s 1st Interrogs., # <u>19</u> Exhibit R – Excerpts from Pl.'s 1st RFP, # <u>20</u> Exhibit S – Pl.'s Questionnaire, # <u>21</u> Exhibit T – Chart, # <u>22</u> Exhibit U – Excerpts from EEOC Compliance Manual, # <u>23</u> Exhibit V – Excerpt from Appellee's Resp. Br., # <u>24</u> Exhibit 1 – Letter from L. Tandy, # <u>25</u> Exhibit 2 – Letter from T. Bowne, # <u>26</u> Exhibit 3 – Letter from L. Tandy, # <u>27</u> Exhibit 4 – Letter from T. Bowne, # <u>28</u> Exhibit 5 – Letter from L. Tandy, # <u>29</u> Exhibit a – Butler v. State of La., # <u>30</u> Exhibit b – EEOC v. Alberson, # <u>31</u> Exhibit c – EEOC v.

		BOK Fin., # 32 Exhibit d – EEOC v. Cintas, # 33 Exhibit e – EEOC v. Hotspur, # 34 Exhibit f – EEOC v. Kaplan, # 35 Exhibit g – EEOC v. Kroger, # 36 Exhibit h – EEOC v. Midwest Div. RMC, # 37 Exhibit i – EEOC v. Org. HBH, # 38 Exhibit j – EEOC v. Peoplemark, # 39 Exhibit k – EEOC v. Princeton, # 40 Exhibit l – EEOC v. Swissport, # 41 Exhibit m – Janko v. Fresh Mkt., # 42 Exhibit n – Robinson v. Cty. of San Joaquin, # 43 Exhibit o – Schiller v. City of New York, # 44 Exhibit p – Serrano v. Cintas, # 45 Exhibit q – Smartphone v. Apple, # 46 Exhibit r – Transverse v. Iowa Wireless, # 47 Exhibit s – U.S. v. Campos)(Johnston, Michael) (Entered: 08/21/2016)
08/26/2016	301	ORDER denying 297 Motion; granting 298 Motion for Entry of Order.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 08/26/2016)
08/26/2016	302	MOTION to Strike <i>Conciliation Evidence from the Record</i> by Equal Employment Opportunity Commission, filed. Motion Docket Date 9/16/2016. (Juge, Gregory) (Entered: 08/26/2016)
08/26/2016	303	MOTION Order that Opposition to Defendant's First Motion to Compel is Not Due Pending Decision by the Court on EEOC's Motion to Strike Conciliation Evidence by Equal Employment Opportunity Commission, filed. Motion Docket Date 9/16/2016. (Juge, Gregory) (Entered: 08/26/2016)
08/29/2016	304	ORDER granting 303 Motion for order that opposition to Defendant's first motion to compel is not due pending decision of the EEOC's motion to strike conciliation evidence.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 08/30/2016)
08/30/2016	305	ORDER staying all discovery pending ruling on Tyson briefing; dismissing as moot 299 MOTION to Stay <i>30(b)(6) DEPOSITION OF EEOC PENDING COURT DECISION ON BRIEFING CONCERNING TYSON</i> (Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 08/30/2016)
08/31/2016	306	MOTION for Lovita T Tandy to Withdraw as Attorney by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 9/21/2016. (Attachments: # 1 Proposed Order)(Tandy, Lovita) (Entered: 08/31/2016)
08/31/2016	307	ORDER granting 306 Motion to Withdraw as Attorney. Attorney Lovita T. Tandy terminated.(Signed by Judge Keith P Ellison) Parties notified.(gkelner, 4) (Entered: 09/01/2016)
09/02/2016	308	REPLY in Support of 283 MOTION FOR RULING THAT POST-LOD APPLICANTS ARE ELIGIBLE AS § 706 CLASS MEMBERS, filed by Equal Employment Opportunity Commission. (Juge, Gregory) (Entered: 09/02/2016)
09/15/2016	309	MOTION for Samuel M. Matchett to Withdraw as Attorney by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 10/6/2016. (Attachments: # 1 Proposed Order)(Matchett, Samuel) (Entered: 09/15/2016)
09/15/2016	310	RESPONSE in Opposition to 302 MOTION to Strike <i>Conciliation Evidence from the Record</i> , filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # 1 Appendix, # 2 Exhibit A – EEOC Compliance Manual 34.7(e)(2), # 3 Exhibit B – Excerpts from EEOC's Reply to Mot. to Quash Subpoenas, # 4 Exhibit C – 05-25-16 E-mail from G. Juge, # 5 Exhibit D – EEOC Compliance Manual 83.4, # 6 Exhibit E – Excerpts from Appellee's Br, # 7 Exhibit F – Excerpts from BPOW's Mot. to Quash Subpoenas, # 8 Exhibit G – Excerpts from 07/15/11 Hr'g Tr., # 9 Exhibit H – Excerpts from Appellee's Resp. to Pet. for Rehr'g, # 10 Exhibit I – Excerpts from EEOC's Ans. to Pet. for Permission to Appeal, # 11 Exhibit J – Excerpts from EEOC's Resp. to Mot. to File Tr. Under Seal, # 12 Exhibit K – Excerpts from EEOC's Mot. to Deem Conf. of Conciliation Process to Have Been Waived (Mach Mining), # 13 1 – EEOC v. Albertson's, # 14 2 – EEOC v. Amsted, # 15 3 – EEOC v. Dimensions, # 16 4 – EEOC v. Greater Metroplex, # 17 5 – EEOC v. Hearst, # 18 6 – EEOC v. Mach Mining (2012), # 19 7 – EEOC v. Mach Mining (2016), # 20 8 – EEOC v. Parker Drilling, # 21 9 – EEOC v. Presrite, # 22 10 – Hill v. Shoe Show)(Johnston, Michael) (Entered: 09/15/2016)
09/19/2016	311	ORDER granting 309 Motion to Withdraw as Attorney. Attorney Samuel M Matchett terminated.(Signed by Judge Keith P Ellison) Parties notified.(gkelner, 4) (Entered: 09/19/2016)

09/21/2016	<u>312</u>	MOTION for Alexandra Navarre–Davis to Appear Pro Hac Vice by Equal Employment Opportunity Commission, filed. Motion Docket Date 10/12/2016. (Navarre–Davis, Alexandra) (Entered: 09/21/2016)
09/21/2016	<u>313</u>	ORDER granting <u>312</u> Motion to Appear Pro Hac Vice for Alexandra Navarre–Davis.(Signed by Judge Keith P Ellison) Parties notified.(gkelner, 4) (Entered: 09/22/2016)
09/23/2016	<u>314</u>	MOTION Judgment on the Pleadings or Alternatively, Motion to Limit Discovery by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 10/14/2016. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – Excerpts from the 5th Cir. Op., # <u>3</u> Exhibit B – Map of Stores, # <u>4</u> Exhibit C – Excerpts from 08–05–16 Hr'g Tr., # <u>5</u> Exhibit D – Bass Pro's Rule 28(j) Letter, # <u>6</u> Exhibit E – EEOC's Rule 28(j) Letter, # <u>7</u> Exhibit F – Richardson – EEOC's Mot. in Limine, # <u>8</u> Exhibit G – Excerpts from 07–21–15 Hr'g Tr., # <u>9</u> Exhibit H – EEOC's Resp. to Pet. for Reh'g, # <u>10</u> Exhibit I – Cintas – EEOC's Resp. to Proposed Scheduling Plan, # <u>11</u> Exhibit J – Determination Letter, # <u>12</u> Exhibit K – Am. Comm's Charge, # <u>13</u> Exhibit L – Excerpt from 11–19–13 Hr'g Tr., # <u>14</u> Exhibit 1 – Roussell v Brinker, # <u>15</u> Exhibit 2 – Shaver v. Barrett)(Johnston, Michael) (Entered: 09/23/2016)
09/26/2016	<u>315</u>	REPLY in Support of <u>302</u> MOTION to Strike <i>Conciliation Evidence from the Record</i> , filed by Equal Employment Opportunity Commission. (Navarre–Davis, Alexandra) (Entered: 09/26/2016)
09/28/2016	<u>316</u>	MOTION FOR ORDER CLARIFYING THAT DEFENDANTS FILING IN ECF No. 314 IS NOT A MOTION AND, THEREFORE, NO OPPOSITION IS DUE PENDING DECISION BY THE COURT ON THE TYSON BRIEFING by Equal Employment Opportunity Commission, filed. Motion Docket Date 10/19/2016. (Juge, Gregory) (Entered: 09/28/2016)
09/29/2016	<u>317</u>	ORDER granting in part <u>316</u> Motion for Order of clarification.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 09/29/2016)
09/30/2016	<u>318</u>	MOTION to Vacate <u>317</u> Order on Motion for Miscellaneous Relief,, MOTION for Clarification as to <u>317</u> Order on Motion for Miscellaneous Relief, (Motion Docket Date 10/21/2016.) by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit A – E–mails between M. Johnston and G. Juge, # <u>3</u> Exhibit B – 05/18/16 Letter from M. Johnston, # <u>4</u> Exhibit C – Excerpts from 08/05/16 Hr'g Tr., # <u>5</u> Exhibit D – E–mails between G. Juge and M. Johnston)(Johnston, Michael) (Entered: 09/30/2016)
09/30/2016	<u>319</u>	Unopposed MOTION for Leave to File A Surreply In Opposition to EEOC's Motion to Strike Conciliation Evidence by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 10/21/2016. (Attachments: # <u>1</u> Proposed Order)(Johnston, Michael) (Entered: 09/30/2016)
10/03/2016	<u>320</u>	ORDER granting <u>319</u> Motion for Leave to File Surreply In Opposition to EEOC'S Motion to Strike Conciliation Evidence. Defendants shall have ten days from the date of this order to file a surreply not exceeding eight pages. The EEOC shall have 10 days from the filing of Defendants' sureply to file a sur–surreply not exceeding eight pages..(Signed by Judge Keith P Ellison) Parties notified.(jdav, 4) (Entered: 10/04/2016)
10/04/2016	<u>321</u>	ORDER denying <u>318</u> Motion to Vacate September 29, 2016 Order and for Clarification. (Signed by Judge Keith P Ellison) Parties notified.(gclair, 4) (Entered: 10/04/2016)
10/12/2016	<u>322</u>	ORDER. It has come to the Court's attention that the Southern District of Texas District Court EM/ECF and PACER systems will be unavailable due to system maintenance from 6:00 PM CDT on October 21, 2016 until 6:00 PM CDT on October 22, 2016. It is therefore ORDERED that the EEOC has until 10/22/2016 to file its response of no more than 25 pages. (Signed by Judge Keith P Ellison) Parties notified.(olindor, 4) (Entered: 10/12/2016)
10/13/2016	<u>323</u>	SURREPLY to <u>302</u> MOTION to Strike <i>Conciliation Evidence from the Record</i> , filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – 10/05/2016 Letter from M. Johnston to G. Juge, # <u>3</u> Exhibit B – EEOC v. Mach Mining, Doc. 22, # <u>4</u> Exhibit C – EEOC v. Bass Pro, Doc. 32, # <u>5</u>

		Exhibit D – EEOCs Reply to BPOWs MTQ. Doc. 20 & Doc. 20–17), # <u>6</u> Exhibit E – Doc. 38 EEOCs Unopposed Mot. to Unseal Pleading (April 3, 2012), # <u>7</u> Exhibit F – Doc. 39 – Order Granting Motion to Unseal All Documents (April 5, 2012), # <u>8</u> Exhibit G – Decl. of Loretta Corprew dated October 11, 2016, # <u>9</u> Exhibit 1 – EEOC v. Parker Drilling Co., # <u>10</u> Exhibit 2 – Tesco Corp. v. Weatherford Intl, Inc.)(Johnston, Michael) (Entered: 10/13/2016)
10/13/2016	<u>324</u>	Amended BRIEF in Opposition (<i>Amended Surreply 323</i>) re: <u>302</u> MOTION to Strike <i>Conciliation Evidence from the Record</i> by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A 10/05/2016 Letter from M. Johnston to G. Juge, # <u>3</u> Exhibit B – EEOC v. Mach Mining, Doc. 22, # <u>4</u> Exhibit C – EEOC v. Bass Pro, Doc. 32, # <u>5</u> Exhibit D – EEOCs Reply to BPOWs MTQ, Doc. 20 & Doc. 20–17, # <u>6</u> Exhibit E – Doc. 38 EEOCs Unopposed Mot. to Unseal Pleading (04/03/2012), # <u>7</u> Exhibit F – Doc. 39 – Order Granting Mot. to Unseal All Docs. (04/05/2012), # <u>8</u> Exhibit G Decl. of Loretta Corprew dated 10/11/2016, # <u>9</u> Exhibit 1 – EEOC v. Parker Drilling Co., # <u>10</u> Exhibit 2 – Tesco Corp. v. Weatherford Intl)(Johnston, Michael) (Entered: 10/13/2016)
10/21/2016	<u>325</u>	BRIEF CONCERNING THE IMPACT OF TYSON FOODS by Equal Employment Opportunity Commission, filed. (Attachments: # <u>1</u> Exhibit 1)(Juge, Gregory) (Entered: 10/21/2016)
10/24/2016	<u>326</u>	Supplemental REPLY in Support of <u>302</u> MOTION to Strike <i>Conciliation Evidence from the Record</i> , filed by Equal Employment Opportunity Commission. (Juge, Gregory) (Entered: 10/24/2016)
10/31/2016	<u>327</u>	REPLY in Support of <u>314</u> MOTION Judgment on the Pleadings or Alternatively, Motion to Limit Discovery, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – EEOC Amicus Curiae Br. (Dukes v. Wal–Mart), # <u>3</u> Exhibit B – Br. of Respondents (Wal–Mart v. Dukes), # <u>4</u> Exhibit C – In re: Autozone)(Johnston, Michael) (Entered: 10/31/2016)
11/01/2016	<u>328</u>	MOTION for Andrew B. Kingsley to Appear Pro Hac Vice by Equal Employment Opportunity Commission, filed. Motion Docket Date 11/22/2016. (Navarre–Davis, Alexandra) (Entered: 11/01/2016)
11/02/2016	<u>329</u>	ORDER granting <u>328</u> Motion for Andrew Burke Kingsley to Appear Pro Hac Vice.(Signed by Judge Keith P Ellison) Parties notified.(jdav, 4) (Entered: 11/02/2016)
11/10/2016	<u>330</u>	Second BRIEF CONCERNING THE IMPACT OF TYSON FOODS by Equal Employment Opportunity Commission, filed.(Juge, Gregory) (Entered: 11/10/2016)
12/28/2016	<u>331</u>	MEMORANDUM AND ORDER (Signed by Judge Keith P Ellison) Parties notified.(sloewe, 4) (Entered: 12/28/2016)
01/03/2017	<u>332</u>	MEMORANDUM AND ORDER denying <u>283</u> MOTION FOR RULING THAT POST–LOD APPLICANTS ARE ELIGIBLE AS § 706 CLASS MEMBERS (Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 01/03/2017)
01/05/2017	<u>333</u>	STATUS REPORT by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> Roussell v. Brinker)(Johnston, Michael) (Entered: 01/05/2017)
01/06/2017	<u>334</u>	NOTICE of Proposed Protective Order Regarding Confidentiality re: Motion Hearing,,, by Equal Employment Opportunity Commission, filed. (Attachments: # <u>1</u> Proposed Protective Order Regarding Confidentiality)(Kingsley, Andrew) (Entered: 01/06/2017)
01/19/2017	<u>335</u>	MOTION for Reconsideration of <u>331</u> Memorandum and Order (Motion Docket Date 2/9/2017.), MOTION for Oral Arguments Hearing by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – Excerpts from Appellee's Br., # <u>3</u> Exhibit B – Chart of Alleged "Inexorable Zeros", # <u>4</u> Exhibit C – EEOC v. Cintas – EEOC's Resp., # <u>5</u> Exhibit D – Wal–mart v. Dukes – Brief, # <u>6</u> Exhibit E – The Hazards of Dukes Law Rev. Art., # <u>7</u> Exhibit F – Robbing A Barren Vault Art., # <u>8</u> Exhibit G – Tyson Foods Law 360 Article, # <u>9</u> Exhibit H – EEOC MD 715 Excerpt, # <u>10</u> Exhibit I – EEOC MD 715 Instructions Excerpt, # <u>11</u> Exhibit J – Fish & Wildlife Census Excerpt, # <u>12</u> Exhibit 1 – WesternGeco v. ION Geophysical)(Johnston, Michael) (Entered: 01/19/2017)

01/20/2017	<u>336</u>	OBJECTIONS to <u>334</u> Notice (Other) , filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – Defs.' Proposed Protective Order, # <u>3</u> Exhibit B – Redline comparing D's Proposed PO to P.'s Proposed PO, # <u>4</u> Exhibit C – Redline comparing P's Proposed PO Doc. 334–1 to Doc. 245–1, # <u>5</u> Exhibit D – 12/19/16 Letter from M. Johnston, # <u>6</u> Exhibit E – 01/04/16 E–mail from G. Juge, # <u>7</u> Exhibit F – Kaplan Confidentiality Stipulation, # <u>8</u> Exhibit G – Texas Roadhouse Confidentiality Order)(Johnston, Michael) (Entered: 01/20/2017)
01/23/2017	<u>337</u>	NOTICE of Setting as to <u>302</u> MOTION to Strike <i>Conciliation Evidence from the Record</i> . Parties notified. Motion Hearing set for 1/30/2017 at 03:00 PM in Courtroom 3A Houston before Judge Keith P Ellison, filed. (arrivera, 4) (Entered: 01/23/2017)
01/23/2017	<u>338</u>	Ex Parte MOTION for GREGORY T. JUGE to Withdraw as Attorney by Equal Employment Opportunity Commission, filed. Motion Docket Date 2/13/2017. (Juge, Gregory) (Entered: 01/23/2017)
01/24/2017	<u>339</u>	ORDER granting <u>338</u> Ex Parte MOTION for GREGORY T. JUGE to Withdraw as Attorney (Signed by Judge Keith P Ellison) Parties notified.(olindor, 4) (Entered: 01/24/2017)
01/27/2017	<u>340</u>	DESIGNATION of Timothy M. Bowne as attorney in charge of Equal Employment Opportunity Commission, filed.(Bowne, Timothy) (Entered: 01/27/2017)
01/30/2017		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 1/30/2017. EEOC's Motion to Strike Conciliation Evidence from the Record (Doc. No. <u>302</u>) is GRANTED IN PART AND DENIED IN PART for the reasons stated on the record. The Motion is granted as to Doc. No. 119–16 (5/20/2010 letter), Doc. No. 120–6 (12/14/10 letter), and Doc. No. 164 at 37–45 (4/25/14 letter). The Motion is otherwise denied. EEOC's opposition to Defendant's First Motion to Compel Discovery Responses (Doc. No. <u>300</u>) is due by 2/13/2017. Defendant's reply is due by 2/20/2017. Appearances: Michael W Johnston, Rebecca Cole Moore, Timothy M Bowne, Alexandra Navarre–Davis, Andrew Burke Kingsley.(Court Reporter: K. Miller)(Law Clerk: J. Solorzano), filed.(arrivera, 4) (Entered: 01/31/2017)
02/01/2017	<u>341</u>	AO 435 TRANSCRIPT REQUEST by Michael W. Johnston for Transcript of Motion to Strike Conciliation Evidence Hearing on 01/30/17 before Judge Keith Ellison. Ordinary (30 days) turnaround requested. Court Reporter/Transcriber: Kathleen Miller, filed. (Johnston, Michael) (Entered: 02/01/2017)
02/09/2017	<u>342</u>	RESPONSE in Opposition to <u>335</u> MOTION for Reconsideration of <u>331</u> Memorandum and Order MOTION for Oral Arguments Hearing, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit Westlaw case, # <u>2</u> Exhibit Westlaw case, # <u>3</u> Proposed Order)(Bowne, Timothy) (Entered: 02/09/2017)
02/13/2017	<u>343</u>	RESPONSE in Opposition to <u>300</u> First MOTION to Compel Discovery Responses, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Affidavit, # <u>3</u> Affidavit, # <u>4</u> Affidavit, # <u>5</u> Exhibit, # <u>6</u> Affidavit, # <u>7</u> Affidavit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Proposed Order)(Bowne, Timothy) (Entered: 02/13/2017)
02/21/2017	<u>344</u>	REPLY in Support of <u>300</u> First MOTION to Compel Discovery Responses, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – Watson – Plea Agreement, # <u>3</u> Exhibit B – Watson – Judgment, # <u>4</u> Exhibit C – Watson – Victim Impact Statement, # <u>5</u> Exhibit D – Watson – Hearing Tr., # <u>6</u> Exhibit 1 – EEOC v. Celadon, # <u>7</u> Exhibit 2 – EEOC v. Kaplan, # <u>8</u> Exhibit 3 – EEOC v. Peplemark, # <u>9</u> Exhibit 4 – Janko v. Fresh Mkt., # <u>10</u> Exhibit 5 – Rutter v. Conseco, # <u>11</u> Exhibit 6 – Serrano v. Cintas)(Johnston, Michael) (Entered: 02/21/2017)
02/21/2017	<u>345</u>	REPLY in Support of <u>335</u> MOTION for Reconsideration of <u>331</u> Memorandum and Order MOTION for Oral Arguments Hearing, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A – Eagle v. EEOC Order, # <u>3</u> Exhibit B – Eagle v. EEOC Hearing Tr., # <u>4</u> Exhibit 1 – WesternGeco v. ION, # <u>5</u> Exhibit 2 – The Way Forward After Wal–Mart)(Johnston, Michael) (Entered: 02/21/2017)
02/27/2017	<u>346</u>	SURREPLY to <u>300</u> First MOTION to Compel Discovery Responses, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit, # <u>3</u>

		Exhibit)(Bowne, Timothy) (Entered: 02/27/2017)
02/27/2017	<u>347</u>	NOTICE of Setting as to <u>246</u> First MOTION to Compel Discovery in Response to Request for Production Number 14, <u>300</u> First MOTION to Compel Discovery Responses. Parties notified. Motion Hearing set for 3/6/2017 at 03:00 PM in Courtroom 3A before Judge Keith P Ellison, filed. (rosaldana, 4) (Entered: 02/27/2017)
02/28/2017	<u>348</u>	Unopposed MOTION to Reset March 6, 2017 Hearing (Doc. 347) by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 3/21/2017. (Attachments: # <u>1</u> Proposed Order)(Johnston, Michael) (Entered: 02/28/2017)
03/01/2017	<u>349</u>	ORDER granting <u>348</u> Motion to Reset. Motion Hearing set for 3/23/2017 at 10:30 AM in Courtroom 3A before Judge Keith P Ellison.(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 03/01/2017)
03/09/2017	<u>350</u>	SURREPLY to <u>300</u> First MOTION to Compel Discovery Responses, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit 1 – Crosby v. Blue Cross, # <u>3</u> Exhibit 2 – EEOC v. Dolgencorp, # <u>4</u> Exhibit 3 – EEOC v. FAPS, # <u>5</u> Exhibit 4 – EEOC v. Kroger, # <u>6</u> Exhibit 5 – EEOC v. Midwest Div. RMC, # <u>7</u> Exhibit 6 – EEOC v. Peoplemark, # <u>8</u> Exhibit 7 – EEOC v. Reed Pierce, # <u>9</u> Exhibit 8 – Schiller v. City of NY, # <u>10</u> Exhibit 9 – U.S. v. Holy Land Foundation, # <u>11</u> Exhibit 10 – U.S. v. State of LA)(Johnston, Michael) (Entered: 03/09/2017)
03/10/2017	<u>351</u>	TRANSCRIPT re: Motion Hearing held on January 30, 2017 before Judge Keith P Ellison. Court Reporter/Transcriber Katleen Miller. Ordering Party Michael Johnston Release of Transcript Restriction set for 6/8/2017., filed. (kmiller,) (Entered: 03/10/2017)
03/13/2017	<u>352</u>	Notice of Filing of Official Transcript as to <u>351</u> Transcript. Party notified, filed. (hcarr, 4) (Entered: 03/13/2017)
03/23/2017		Minute Entry for proceedings held before Judge Keith P Ellison. MOTION HEARING held on 3/23/2017. Bass Pro must provide a list of Ceridian data fields to the EEOC. The EEOC must make a reasonable effort to identify the Ceridian data fields that are relevant to the case. The EEOC must provide its statistical analysis to the Court for in camera review. The EEOC must provide census data to Bass Pro. The EEOC has 15 days to submit a revised protective order to Bass Pro. Once Bass Pro receives the EEOC's proposed protective order, Bass Pro has 15 days to respond. Appearances: Michael W Johnston, Rebecca Cole Moore, Larry Wilcher, Timothy M Bowne, Claudia Molina.(Court Reporter: Alcaraz), filed.(rosaldana, 4) (Entered: 03/23/2017)
03/27/2017	<u>353</u>	AO 435 TRANSCRIPT REQUEST by Defendants/Michael W. Johnston for Transcript of Motion to Compel Hearing on 03/23/17 before Judge Ellison. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Heather Alcaraz, filed. (Johnston, Michael) (Entered: 03/27/2017)
03/27/2017	<u>354</u>	AO 435 TRANSCRIPT REQUEST by Michael W. Johnston for Transcript of Civil Hearing before Judge Keith Ellison on 3/23/2017. Expedited (7 days) turnaround requested. Court Reporter/Transcriber: Heather Alcaraz, filed. (sgonzalez, 5) Modified on 3/28/2017 (sroque, 4). (Entered: 03/27/2017)
03/28/2017	<u>355</u>	AO 435 TRANSCRIPT REQUEST by TIM BOWNE for Transcript copy of Motion Hearing03/23/2017, Judge Keith Ellison. Ordinary (30 days) turnaround requested. Court Reporter/Transcriber: Heather Alcaraz, filed. (sroque, 4) (Entered: 03/28/2017)
03/31/2017	<u>356</u>	MOTION for Clarification as to Motion Hearing,, (Motion Docket Date 4/21/2017.), MOTION to Expedite Consideration by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> Exhibit A – E-mails between M. Johnston and T. Bowne, # <u>2</u> Exhibit B – Order in EEOC v. Kroger, # <u>3</u> Proposed Order)(Johnston, Michael) (Entered: 03/31/2017)
03/31/2017	<u>357</u>	TRANSCRIPT re: Motion Hearing held on 3/23/17 before Judge Keith P Ellison. Court Reporter Heather Alcaraz. Ordering Party Michael Johnston. Release of Transcript Restriction set for 6/29/2017, filed. (halcaraz,) (Entered: 03/31/2017)

04/03/2017	<u>358</u>	Notice of Filing of Official Transcript as to <u>357</u> Transcript. Party notified, filed. (dhansen, 4) (Entered: 04/03/2017)
04/05/2017	<u>359</u>	ORDER FOR EXPEDITED BRIEFING ; Motion-related deadline set re: <u>356</u> MOTION for Clarification as to Motion Hearing,, MOTION to Expedite Consideration Responses due by 4/14/2017. Replies due by 4/21/2017(Signed by Judge Keith P Ellison) Parties notified.(arrivera, 4) (Entered: 04/05/2017)
04/10/2017	<u>360</u>	ORDER granting in part and denying in part <u>335</u> Motion for Reconsideration. (Signed by Judge Keith P Ellison) Parties notified. (wbostic, 4) (Entered: 04/11/2017)
04/14/2017	<u>361</u>	RESPONSE in Opposition to <u>356</u> MOTION for Clarification as to Motion Hearing,, MOTION to Expedite Consideration, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Proposed Order)(Bowne, Timothy) (Entered: 04/14/2017)
04/21/2017	<u>362</u>	REPLY in Support of <u>356</u> MOTION for Clarification as to Motion Hearing,, MOTION to Expedite Consideration, filed by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC. (Attachments: # <u>1</u> Exhibit A – April 5, 2017 Letter from T. Bowne to Court, # <u>2</u> Exhibit B – April 2017 Email string between T. Bowne and M. Johnston, # <u>3</u> Exhibit C – Chart listing docs. not submitted in camera, # <u>4</u> Exhibit D – April 14, 2017 Letter from T. Bowne to Court, # <u>5</u> Exhibit 1 – EEOC v. Hotspur Resorts Nev., Ltd., # <u>6</u> Exhibit 2 – SmartPhone Techs. v. Apple, Inc.)(Johnston, Michael) (Entered: 04/21/2017)
04/25/2017	<u>363</u>	NOTICE of Filing of Declarations re: <u>246</u> First MOTION to Compel Discovery in Response to Request for Production Number 14 by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> Declaration of Ed Billingsley, # <u>2</u> Declaration of Chris Forrester, # <u>3</u> Declaration of James Laster, # <u>4</u> Declaration of Carol Thompson (f/k/a Carol Ferrara))(Johnston, Michael) (Entered: 04/25/2017)
04/25/2017	<u>364</u>	<i>Letter to Judge Ellison regarding important factual developments</i> by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> Ex. A – E-mails between M. Johnston and T. Bowne)(Johnston, Michael) (Entered: 04/25/2017)
04/26/2017	<u>365</u>	ORDER granting <u>356</u> Motion for Clarification. The EEOC is required to submit to the Court for in camera review all documents responsive to Defendants' RFPs 4, 7, 8 that it is withholding on the basis of privilege. Such documents include, but are not limited to, the 79 documents identified in the Declaration of EEOC Acting Chair Victoria Lipnic. The EEOC has ten (10) days from the date of this Order to Comply. (Signed by Judge Keith P Ellison) Parties notified. (wbostic, 4) (Entered: 04/26/2017)
04/28/2017	<u>366</u>	Order of USCA – Per Curiam re: 203 Notice of Appeal ; USCA No. 15–20078, filed.(bcampos, 1) (Entered: 04/28/2017)
05/02/2017	<u>367</u>	NOTICE of Filing Corrected Letter to Judge Ellison regarding important factual developments re: <u>364</u> Document by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> Redlined version, # <u>2</u> Corrected version)(Johnston, Michael) (Entered: 05/02/2017)
05/02/2017	<u>368</u>	MOTION for Interlocutory Appeal as to <u>331</u> Memorandum and Order by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. Motion Docket Date 5/23/2017. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit 1 – The Hazards of Dukes, # <u>3</u> Exhibit 2 – The Implications of Dukes, # <u>4</u> A – In re Autozone, # <u>5</u> B – Chicago Teachers Union v. Bd. of Educ., # <u>6</u> C – Davenport v. Charter Commc'ns, # <u>7</u> D – DuPree v. Kaye, # <u>8</u> E – EEOC v. Cintas, # <u>9</u> F – Rogers v. City of San Antonio)(Johnston, Michael) (Entered: 05/02/2017)
05/08/2017	<u>369</u>	Order of USCA – Judgment re: 203 Notice of Appeal ; USCA No. 15–20078. It is ordered and adjudged that the judgment of the District Court is affirmed, filed.(mperez, 1) (Entered: 05/08/2017)
05/08/2017	<u>370</u>	Order of USCA – Per Curiam re: 203 Notice of Appeal ; USCA No. 15–20078. We decline to undo the structure erected by Congress in the guise of interception seduced by judicially preferred policy choices. AFFIRMED, filed.(mperez, 1) (Entered: 05/08/2017)

05/15/2017	<u>371</u>	Letter to Judge Ellison containing information responsive to one of the Court's questions at the 03/23/17 hearing by Bass Pro Outdoor World, LLC, Tracker Marine Retail, LLC, filed. (Attachments: # <u>1</u> Table – List of Charges)(Johnston, Michael) (Entered: 05/15/2017)
05/16/2017	<u>372</u>	RESPONSE to <u>364</u> Document , filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Affidavit, # <u>3</u> Exhibit)(Bowne, Timothy) (Entered: 05/16/2017)
05/23/2017	<u>373</u>	RESPONSE in Opposition to <u>368</u> MOTION for Interlocutory Appeal as to <u>331</u> Memorandum and Order, filed by Equal Employment Opportunity Commission. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Proposed Order)(Bowne, Timothy) (Entered: 05/23/2017)
07/13/2017	<u>374</u>	ORDER for Barry A. Hartstein to Appear Pro Hac Vice(Signed by Judge Keith P Ellison) Parties notified.(olindor, 4) (Entered: 07/13/2017)
07/24/2017	<u>375</u>	Unopposed MOTION to Amend <u>171</u> Amended Complaint/Counterclaim/Crossclaim etc. by Equal Employment Opportunity Commission, filed. Motion Docket Date 8/14/2017. (Attachments: # <u>1</u> Proposed Order)(Bowne, Timothy) (Entered: 07/24/2017)
07/24/2017	<u>376</u>	Agreed MOTION for Entry of Order re: proposed Consent Decree by Equal Employment Opportunity Commission, filed. Motion Docket Date 8/14/2017. (Attachments: # <u>1</u> Proposed Order proposed Consent Decree)(Bowne, Timothy) (Entered: 07/24/2017)
07/24/2017	<u>377</u>	ORDER granting <u>375</u> Plaintiff EEOC'S Unopposed Motion to Amend. (Signed by Judge Keith P Ellison) Parties notified. (rosaldana, 4) (Entered: 07/24/2017)
07/25/2017	<u>378</u>	CONSENT DECREE granting <u>376</u> Agreed MOTION for Entry of Order re: proposed Consent Decree. Case terminated on July 25th, 2017. (Signed by Judge Keith P Ellison) Parties notified. (rosaldana, 4) (Entered: 07/25/2017)
09/05/2017	<u>379</u>	Joint MOTION for Extension of Time Selected Dates in Consent Decree by Equal Employment Opportunity Commission, filed. Motion Docket Date 9/26/2017. (Attachments: # <u>1</u> Proposed Order)(Bowne, Timothy) (Entered: 09/05/2017)
09/05/2017	<u>380</u>	ORDER Extending Selected Dates in Consent Decree. Re: <u>379</u> Motion for Extension of Time.(Signed by Judge Keith P Ellison) Parties notified.(jguajardo, 4) (Entered: 09/06/2017)