

APPENDICES A

McGee v. Steiner, et al. 24-5120 - 025 - Memorandum Disposition

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Date: Thursday, February 19, 2026 at 12:47 PM EST

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United States Court of Appeals for the Ninth Circuit

Notice of Docket Activity

The following transaction was entered on 02/19/2026 9:42:19 AM PST and filed on 02/19/2026

Case Name: McGee v. Steiner, et al.

Case Number: 24-5120

Docket Text:

MEMORANDUM DISPOSITION (Consuelo M. CALLAHAN, Michelle T. FRIEDLAND, Daniel A. BRESS) AFFIRMED. FILED AND ENTERED JUDGMENT. [Entered: 02/19/2026 09:44 AM]

Document: Memorandum

Document: Post Judgment Form

Notice will be electronically mailed to:

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Case participants listed below will not receive this electronic notice:

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

FEB 19 2026

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

LOLA BONITTA McGEE,

Plaintiff - Appellant,

v.

DAVID P. STEINER; CRAIG COLTON;
ROBERT REYNOSA; JENNIFER VO;
MARK MARTINEZ; JERRY WILSON;
COREY RICHARDS; YUL MELONSON,

Defendants - Appellees.

No. 24-5120

D.C. No. 2:13-cv-01426-RFB-VCF

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Richard F. Boulware, II, District Judge, Presiding

Submitted February 18, 2026**

Before: CALLAHAN, FRIEDLAND, and BRESS, Circuit Judges.

Lola Bonitta McGee appeals pro se from the district court's order denying her post-judgment motions to reopen her employment action alleging federal

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

claims. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion. *Sch. Dist. No. 1J, Multnomah County, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th Cir. 1993). We affirm.

The district court did not abuse its discretion in denying McGee's motions to reopen the action. To the extent that the motions sought relief under Rule 60(b)(2), the motions were untimely because they were filed more than one year after entry of judgment. *See* Fed. R. Civ. P. 60(c)(1); *Nevitt v. United States*, 886 F.2d 1187, 1188 (9th Cir. 1989) (noting that a motion for relief from judgment based on newly discovered evidence must be made within one year after judgment was entered). To the extent that the motions sought relief under Rule 60(b)(6), they were not filed within a reasonable time. *See Bynoe v. Baca*, 966 F.3d 972, 979 (9th Cir. 2020) (setting forth the requirements for a Rule 60(b)(6) motion, including that the motion must be filed "within a reasonable time").

We do not consider McGee's contentions concerning the merits of the underlying judgment, which a prior panel of this court previously affirmed. *See McGee v. DeJoy*, 821 F. App'x 860 (9th Cir. 2020); *Henson v. Fid. Nat'l Fin., Inc.*, 943 F.3d 434, 444 (9th Cir. 2019) ("[A]n appeal from the denial of a Rule 60(b) motion brings up for review only the denial of that motion, . . . not the underlying judgment.").

AFFIRMED.

**United States District Court
District of Nevada (Las Vegas)
CIVIL DOCKET FOR CASE #: 2:13-cv-01426-RFB-VCF**

McGee v. Donahoe

Assigned to: Judge Richard F. Boulware, II

Referred to: Magistrate Judge Cam Ferenbach

Case in other court: Ninth Circuit, 19-17056

Ninth Circuit Court of Appeals, 22-16985

Ninth Circuit, 24-05120

Cause: 42:1983 Civil Rights (Employment Discrimination)

Date Filed: 08/08/2013

Date Terminated: 09/23/2019

Jury Demand: Both

Nature of Suit: 442 Civil Rights: Jobs

Jurisdiction: U.S. Government Plaintiff

Plaintiff

Lola McGee

represented by **Lola McGee**

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V.

Defendant

Patrick R. Donahoe
Postmaster General of the United States
Postal Service, Pacific Area, Agency
TERMINATED: 02/13/2015

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Defendant

Craig Colton

Defendant

Robert Reynosa

Defendant

Jennifer Vo

Defendant

Mark Martinez

Defendant

Jerry Wilson

Defendant

Corey Richards

Defendant

Yul Melonson

Defendant

Megan J. Brennan

Postmaster General of the United States

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Date Filed	#	Docket Text
08/08/2013		Case assigned to Judge Miranda M. Du and Magistrate Judge Cam Ferenbach. (JAG) (Entered: 08/08/2013)

08/08/2013	<u>1</u>	MOTION/APPLICATION for Leave to Proceed in forma pauperis by Plaintiff Lola McGee. Motion ripe 8/8/2013. (Attachments: # <u>1</u> complaint pt 1, # <u>2</u> complaint pt 2, # <u>3</u> complaint pt 3, # <u>4</u> complaint pt 4, # <u>5</u> Civil Cover Sheet)(EDS) (Entered: 08/08/2013)
08/08/2013	<u>2</u>	MOTION for Appointment of Counsel by Plaintiff Lola McGee. Motion ripe 8/8/2013. (EDS) (Entered: 08/08/2013)
08/09/2013	<u>3</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Miranda M. Du, on 8/9/2013. By Deputy Clerk: Peggie Vannozzi. This case has been assigned to the Honorable Miranda M. Du. Judge Du's Civil Standing Order is posted on the U.S. District Court, District of Nevada public website and may be accessed directly via this hyperlink: www.nvd.uscourts.gov (no image attached) (Copies have been distributed pursuant to the NEF - PAV) (Entered: 08/09/2013)
08/22/2013	<u>4</u>	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge Cam Ferenbach, on 8/22/2013. RE: <u>1</u> MOTION/APPLICATION for Leave to Proceed in forma pauperis Motion Hearing set for 9/12/2013 02:00 PM in LV Courtroom 3D before Magistrate Judge Cam Ferenbach. (Copies have been distributed pursuant to the NEF - EDS) (Entered: 08/22/2013)
08/28/2013	<u>5</u>	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge Cam Ferenbach, on 8/28/2013. IT IS HEREBY ORDERED that Plaintiff may appear telephonically for the hearing on Plaintiff's Motion/Application for Leave to Proceed in forma pauperis <u>1</u> , scheduled for 2:00 p.m., September 12, 2013. The call in number is 1-702-868-4911, passcode 123456. (Copies have been distributed pursuant to the NEF - EDS) (Entered: 08/28/2013)
09/12/2013	<u>6</u>	MINUTES OF PROCEEDINGS - Hearing re application to proceed in forma pauperis <u>1</u> held on 9/12/2013 before Magistrate Judge Cam Ferenbach. Crtrm Administrator: J. Ries; Court Reporter/FTR #: 2:05 - 2:27; Time of Hearing: 2:00 p.m.; Courtroom: 3D; The plaintiff, Ms. McGee is present and appearing telephonically. The court canvasses and hears representations from the plaintiff. ORDERED that the application to proceed in forma pauperis <u>1</u> is GRANTED. The court will issue a separate order. (no image attached) (Copies have been distributed pursuant to the NEF - JAR) (Entered: 09/16/2013)
09/16/2013	<u>7</u>	ORDER that <u>1</u> MOTION/APPLICATION for Leave to Proceed in forma pauperis filed by Lola McGee is GRANTED. IT IS FURTHER ORDERED that <u>2</u> MOTION for Appointment of Counsel is DENIED. IT IS RECOMMENDED that Plaintiff's Complaint be DISMISSED without prejudice and with leave to amend. IT IS FURTHER RECOMMENDED that the Clerk file complaint and issue summons. Objections to R&R due within 14 days. Signed by Magistrate Judge Cam Ferenbach on 9/16/13. (Copies have been distributed pursuant to the NEF - EDS) (Entered: 09/16/2013)
10/16/2013	<u>9</u>	NOTICE: Pursuant to Local Rule 16-6 this case has been assigned to the Early Neutral Evaluation Program. Magistrate Judge Nancy J. Koppe will be the evaluating judge in this case. (no image attached)(RFJ) (Entered: 10/16/2013)
02/21/2014	<u>10</u>	MOTION for Order to Serve Complaint by Plaintiff Lola McGee. Responses due by 3/10/2014. (Attachments: # <u>1</u> Proposed Order on Motion, # <u>2</u> cover letter, # <u>3</u> proposed Summons to be Issued)(MMM) (Entered: 02/25/2014)
02/26/2014	<u>8</u>	AMENDED COMPLAINT with Jury Demand against Patrick R. Donahoe, Craig Colton, Robert Reynosa, Jennifer Vo, Mark Martinez, Jerry Wilson, Corey Richards, Yul

		Melonson, filed by Lola McGee. Adds new parties. Proof of service due by 2/12/2014. (EDS) Modified on 2/26/2014 to reflect dated filed per <u>12</u> Order (MMM). (Entered: 10/16/2013)
02/26/2014	<u>11</u>	EXHIBITS to <u>8</u> Amended Complaint ; filed by Plaintiff Lola McGee. (Attachments: # <u>1</u> Exhibit)(MMM) Modified on 2/26/2014 to reflect date filed per <u>12</u> Order (MMM). (Entered: 02/25/2014)
02/26/2014	<u>12</u>	ORDER Accepting and Adopting <u>7</u> Report and Recommendation. The Complaint is dismissed without prejudice and with leave to amend. The Clerk shall file the Complaint and Amended Complaint. The clerk shall issue summons to the defendants named in the Amended Complaint, deliver same to the US Marshal for service and send blank copies of the USM-285 forms to Plaintiff. FURTHER ORDERED that plaintiff shall have 20 days to furnish to the US Marshal the required USM-285 forms. FURTHER ORDERED that <u>10</u> MOTION for Order to Serve Complaint is denied as moot. Signed by Judge Miranda M. Du on 2/26/14. (Copies have been distributed pursuant to the NEF; blank USM 285 forms to plaintiff - MMM) (Entered: 02/26/2014)
02/26/2014	<u>13</u>	COMPLAINT against Patrick R. Donahoe (Filing fee \$400 - not paid, ifp granted), filed by Lola McGee. Certificate of Interested Parties due by 3/8/2014. Proof of service due by 6/26/2014. (Attachments: # <u>1</u> complaint - part 2, # <u>2</u> complaint - part 3, # <u>3</u> complaint - part 4, # <u>4</u> Civil Cover Sheet) (MMM) (Entered: 02/26/2014)
03/05/2014	<u>14</u>	SUMMONS Issued as to Patrick R. Donahoe, U.S. Attorney, U.S. Attorney General, Mark Martinez, Yul Melonson, Robert Reynosa, Corey Richards, Jennifer Vo, Jerry Wilson, Craig Colton. (Attachments: # <u>1</u> summons issued as to US Atty for Dist of NV, # <u>2</u> summons issued as to US Atty General, # <u>3</u> summons issued as to Corey Richards, # <u>4</u> summons issued as to Craig Colton, # <u>5</u> summons issued as to Jennifer Vo, # <u>6</u> summons issued as to Jerry Wilson, # <u>7</u> summons issued as to Mark Martinez, # <u>8</u> summons issued as to Robert Reynosa, # <u>9</u> summons issued as to Yul Melonson)(MMM) (Entered: 03/06/2014)
05/30/2014	<u>15</u>	SUMMONS Returned Executed by Lola McGee re <u>8</u> Amended Complaint, <u>14</u> Summons Issued as to USA. US Attorney's Office served on 5/29/2014, answer due 7/28/2014. (MMM) (Entered: 05/30/2014)
05/30/2014	<u>16</u>	SUMMONS Returned Executed by Lola McGee re <u>8</u> Amended Complaint and <u>14</u> Summons Issued. Craig Colton, Mark Martinez, Yul Melonson, Robert Reynosa, Corey Richards, Jennifer Vo, and Jerry Wilson served on 5/30/2014, answer due 6/20/2014. (SLR) (Entered: 06/02/2014)
06/30/2014	<u>17</u>	SUMMONS Returned Executed by Lola McGee re <u>8</u> Amended Complaint, <u>14</u> Summons Issued. Patrick R. Donahoe served on 6/20/2014, answer due 7/11/2014. (MMM) (Entered: 07/01/2014)
07/28/2014	<u>18</u>	MOTION to Dismiss by Defendant Patrick R. Donahoe. Responses due by 8/14/2014. Certificate of Interested Parties due by 8/7/2014. Discovery Plan/Scheduling Order due by 9/11/2014. (Pugh, Brian) (Entered: 07/28/2014)
07/28/2014	<u>19</u>	MINUTE ORDER IN CHAMBERS Regarding the Requirements of <i>Klinge v. Eikenberry</i> and <i>Rand v. Rowland</i> as to <u>18</u> MOTION to Dismiss : Opposition due fourteen (14) days from the date of this Minute Order, and reply due seven (7) days after the filing of the opposition. Signed by Judge Miranda M. Du. (Copies have been distributed pursuant to the NEF - RFJ) (Entered: 07/28/2014)
07/29/2014	<u>20</u>	ORDER Re: Early Neutral Evaluation Session. Signed by Magistrate Judge Nancy J. Koppe on 7/29/14. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 07/30/2014)

08/11/2014	<u>21</u>	MOTION for Appointment of Counsel by Plaintiff Lola McGee. Motion ripe 8/11/2014. (MMM) (Entered: 08/11/2014)
08/11/2014	<u>22</u>	RESPONSE to <u>18</u> MOTION to Dismiss, filed by Plaintiff Lola McGee. Replies due by 8/21/2014. (MMM) (Entered: 08/11/2014)
08/12/2014	<u>23</u>	MINUTE ORDER IN CHAMBERS of the Honorable Chief Judge Gloria M. Navarro, on 8/12/2014. IT IS ORDERED that this case is reassigned to Judge Richard F. Boulware, II for all further proceedings. Judge Miranda M. Du no longer assigned to case. All further documents must bear the correct case number 2:13-cv-01426-RFB-VCF. (no image attached) (Copies have been distributed pursuant to the NEF - MMM) (Entered: 08/12/2014)
08/18/2014	<u>24</u>	SUMMONS Returned Executed by Lola McGee re <u>14</u> Summons Issued as to US Attorney General. (EDS) (Entered: 08/19/2014)
08/21/2014	<u>25</u>	REPLY to Response to <u>18</u> MOTION to Dismiss filed by Defendant Patrick R. Donahoe. (Attachments: # <u>1</u> Exhibit A. Letters, # <u>2</u> Exhibit B. Letter to USPS, # <u>3</u> Exhibit C. EEOC Denial Jun 3, 2013, # <u>4</u> Exhibit D. Letter to USPS, # <u>5</u> Exhibit E. EEOC Dismissal of Appeal Nov 13, 2012, # <u>6</u> Exhibit F. Website, # <u>7</u> Exhibit G. Letters)(Pugh, Brian) (Entered: 08/21/2014)
08/21/2014	<u>26</u>	ORDER denying <u>21</u> Motion to Appoint Counsel. Signed by Magistrate Judge Cam Ferenbach on 8/21/2014. (Copies have been distributed pursuant to the NEF - DKJ) (Entered: 08/22/2014)
09/02/2014	<u>27</u>	MOTION to Reconsider <u>26</u> Order on Motion to Appoint Counsel by Plaintiff Lola McGee. Responses due by 9/19/2014. (SLR) (Entered: 09/02/2014)
09/02/2014	<u>28</u>	MOTION to Allow a Sur-Reply on Defendant's Motion to Dismiss by Plaintiff Lola McGee. Responses due by 9/19/2014. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Proposed Sur-Reply)(SLR) (Entered: 09/02/2014)
09/04/2014	<u>29</u>	ORDER Denying <u>27</u> Plaintiff Lola McGee's Motion for Magistrate Judge to Reconsider Magistrate Judge Order. Signed by Magistrate Judge Cam Ferenbach on 9/4/2014. (Copies have been distributed pursuant to the NEF - EDS) (Entered: 09/04/2014)
09/11/2014	<u>30</u>	PROPOSED Discovery Plan/Scheduling Order filed by Defendant Patrick R. Donahoe . (Pugh, Brian) (Entered: 09/11/2014)
09/12/2014	<u>31</u>	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge Cam Ferenbach, on 9/12/2014. ORDER that a Discovery Hearing RE: <u>30</u> Proposed Discovery Plan/Scheduling Order is set for 9/24/2014 at 11:00 AM in LV Courtroom 3D before Magistrate Judge Cam Ferenbach. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 09/15/2014)
09/15/2014	<u>32</u>	RESPONSE to <u>28</u> MOTION to Allow a Sur-Reply; filed by Defendant Patrick R. Donahoe. (Pugh, Brian) (Entered: 09/15/2014)
09/15/2014	<u>33</u>	MOTION to Stay re: Discovery; filed by Defendant Patrick R. Donahoe. Motion ripe 9/15/2014. (Attachments: # <u>1</u> Exhibit A Email)(Pugh, Brian) (Entered: 09/15/2014)
09/17/2014	<u>34</u>	ORDER that the court's September 24, 2014 hearing is VACATED. Signed by Magistrate Judge Cam Ferenbach on 9/17/14. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 09/17/2014)
09/24/2014	<u>35</u>	RESPONSE to <u>33</u> MOTION to Stay re: Discovery, filed by Plaintiff Lola McGee. Replies due by 10/4/2014. (MMM) (Entered: 09/25/2014)

09/24/2014	<u>36</u>	MOTION for Pro Se Litigant to File Electronically by Plaintiff Lola McGee. Motion ripe 9/24/2014. (MMM) (Entered: 09/25/2014)
09/25/2014	<u>37</u>	NOTICE of Change of Attorneys ; filed by Defendant Patrick R. Donahoe. (Gallagher, Krystal) Wrong event selected by attorney, Court modified event on 9/26/2014 (RFJ). (Entered: 09/25/2014)
09/30/2014	<u>38</u>	ORDER that <u>33</u> Motion to Stay is GRANTED. Discovery is STAYED for four months or until the District Court adjudicates Defendants' Motion to Dismiss, whichever comes first. FURTHER ORDERED that <u>36</u> Motion for Pro Se Litigant to File Electronically is GRANTED with provisions. Signed by Magistrate Judge Cam Ferenbach on 9/30/14. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 09/30/2014)
10/14/2014	<u>39</u>	NOTIFICATION TO CLARIFY/CORRECT THE RECORD by Lola McGee. (MMM) (Entered: 10/15/2014)
10/14/2014	<u>40</u>	CERTIFICATION that Plaintiff has Completed Tutorial re <u>38</u> Order on Motion for Pro Se Litigant to File Electronically, filed by Lola McGee. (MMM) (Entered: 10/15/2014)
02/13/2015	<u>41</u>	MOTION to Extend Stay re Discovery; filed by Defendant Megan J. Brennan. (Attachments: # <u>1</u> Exhibit A. Plaintiff's Discovery Requests, # <u>2</u> Exhibit B. Email Correspondence)(Gallagher, Krystal) (Entered: 02/13/2015)
02/15/2015	<u>42</u>	RESPONSE to <u>41</u> MOTION to Extend Stay re Discovery filed by Plaintiff Lola McGee. Replies due by 2/25/2015. (McGee, Lola) (Entered: 02/15/2015)
02/25/2015	<u>43</u>	REPLY to Response to <u>41</u> MOTION to Extend Stay re Discovery filed by Defendant Megan J. Brennan. (Gallagher, Krystal) (Entered: 02/25/2015)
03/10/2015	<u>44</u>	ORDER granting <u>41</u> Motion to Stay Discovery. Discovery is STAYED up to July 15, 2015 or until the District Court decides Defendants Motion to Dismiss, whichever occurs first. In the event Defendants Motion to Dismiss is not granted in its entirety, the parties MUST file a proposed Discovery Plan and Scheduling Order within twenty days of the courts decision. Signed by Magistrate Judge Cam Ferenbach on 3/10/2015. (Copies have been distributed pursuant to the NEF - DKJ) (Entered: 03/10/2015)
07/24/2015	<u>45</u>	Second MOTION to Extend Stay re Discovery filed by Defendant Megan J. Brennan. (Rosse, Krystal) Modified event on 7/24/2015 (DKJ). (Entered: 07/24/2015)
07/25/2015	<u>46</u>	RESPONSE to <u>45</u> Motion to Extend Time/Shorten Time regarding Discovery or Nondispositive matter, filed by Plaintiff Lola McGee. Replies due by 8/4/2015. (McGee, Lola) (Entered: 07/25/2015)
07/25/2015	<u>47</u>	MOTION Removal of Department of Justice by Plaintiff Lola McGee. Responses due by 8/11/2015. (McGee, Lola) (Entered: 07/25/2015)
08/04/2015	<u>48</u>	REPLY to Response to <u>45</u> Motion to Extend Time/Shorten Time regarding Discovery or Nondispositive matter filed by Defendant Megan J. Brennan. (Rosse, Krystal) (Entered: 08/04/2015)
08/05/2015	<u>49</u>	ORDER that all discovery is stayed in this case until the earlier of twenty (20) days after a ruling on <u>18</u> Motion to Dismiss or February 5, 2016. FURTHER ORDERED that the parties will not be required to file a proposed Discovery Plan and Scheduling Order until the earlier of twenty (20) days after a ruling on the Motion to Dismiss or February 5, 2016. Signed by Magistrate Judge Cam Ferenbach on 8/5/15. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 08/05/2015)
08/11/2015	<u>50</u>	RESPONSE to <u>47</u> MOTION Removal of Department of Justice, filed by Defendant Megan J. Brennan. Replies due by 8/21/2015. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)

		(Rosse, Krystal) (Entered: 08/11/2015)
08/18/2015	<u>51</u>	REPLY to Response to <u>47</u> Motion filed by Plaintiff Lola McGee. <i>Exhibit 1 is in two parts</i> (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(McGee, Lola) (Entered: 08/18/2015)
08/18/2015	<u>52</u>	MOTION to Expedite ruling on pending motions by Plaintiff Lola McGee. (DKJ) (Entered: 08/19/2015)
08/19/2015		NOTICE of Docket Correction to <u>51</u> Reply to Response to Motion : ERROR: Documents should have been filed as separate entries by Plaintiff, Lola McGee . In accordance with Special Order 109, <i>a separate document must be filed for each type of document or purpose</i> . Plaintiff advised in the future please file documents in accordance with Special Order 109 filing procedures to prevent delay in the timely filing of documents. CORRECTION: Court docketed the <i>MOTION</i> contained within document <u>51</u> as 52 MOTION TO EXPEDITE. (no image attached) (DKJ) (Entered: 08/19/2015)
09/01/2015	<u>53</u>	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II, on 9/1/2015. IT IS ORDERED that a hearing and oral argument is set for <u>Friday, September 11, 2015 at 1:30 PM</u> in LV Courtroom 7D before Judge Richard F. Boulware, II. The following motions shall be addressed: <u>18</u> Motion to Dismiss Defendant Patrick R. Donahoe; <u>47</u> Motion for Removal of Department of Justice; and <u>52</u> Motion to Expedite Ruling on Pending Motions. IT IS FURTHER ORDERED that <u>28</u> Motion for Leave to File Surreply is GRANTED in light of Defendant's <u>32</u> Non-opposition. The Court will consider the proposed surreply attached to Plaintiff's <u>28</u> Motion. (no image attached) (Copies have been distributed pursuant to the NEF - BEL) (Entered: 09/01/2015)
09/03/2015	<u>54</u>	Emergency MOTION to Expedite <i>ruling on representation because of disabilities</i> by Plaintiff Lola McGee. (McGee, Lola) (Entered: 09/03/2015)
09/09/2015	<u>55</u>	RESPONSE to <u>54</u> Motion to Expedite, filed by Defendant Megan J. Brennan. Replies due by 9/19/2015. (Rosse, Krystal) (Entered: 09/09/2015)
09/09/2015	<u>56</u>	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II, on 9/9/2015. Plaintiff Lola McGee has filed <u>54</u> Emergency Motion for Representation and/or Assistance. The Court has reviewed Plaintiff's request to allow her assistant to speak on her behalf at the hearing scheduled for September 11, 2015. The Court will permit Plaintiff's assistant to be present with her at counsel table, but does not find that there is a sufficient basis to allow Plaintiff's assistant to speak on her behalf at the hearing. The Court has also reviewed Plaintiff's request for appointment of counsel. As set forth in three previous Orders denying requests for appointment of counsel in this case, (<i>see</i> ECF Nos. 7, 26, 29), the Court may exercise its discretion to request an attorney to represent a party only under exceptional circumstances. The Court has reviewed the record in this case and does not find that exceptional circumstances exist. Therefore, IT IS ORDERED that Plaintiff Lola McGee's <u>54</u> Emergency Motion for Representation and/or Assistance is GRANTED IN PART and DENIED IN PART. Plaintiff's assistant is permitted to be present with her at counsel table at the hearing, but

		may not speak on Plaintiff's behalf. Plaintiff's request for appointment of counsel is denied. (Copies have been distributed pursuant to the NEF - BEL) (Entered: 09/09/2015)
09/11/2015	<u>57</u>	MINUTES OF PROCEEDINGS - Motion Hearing held on 9/11/2015 before the Honorable Richard F. Boulware, II. Crtrm Administrator: <i>Blanca Lenzi</i>; Pla Counsel: <i>Lola McGee, Pro Se</i>; Def Counsel: <i>Kystal Rosse, AUSA</i>; Court Reporter/FTR #: <i>Patty Ganci</i>; Time of Hearing: <i>1:40 - 2:49 PM; 3:30 - 4:22 PM</i>; Courtroom: <i>7C</i>. Plaintiff Lola McGee is present, appearing <i>pro se</i>. The Court make preliminary statements regarding motions before the Court. For the reasons stated on the record at the hearing, IT IS ORDERED that Defendant Patrick R. Donahoe's <u>18</u> Motion to Dismiss is DENIED WITHOUT PREJUDICE. The parties shall have <u>90 days</u> from today's date to engage in limited discovery addressing: 1) what claims were previously alleged in filings with the EEOC and (2) whether there should be equitable tolling of plaintiff's delayed filing of the appeals to the EEOC ruling in 2009. IT IS FURTHER ORDERED that Defense counsel shall produce to Ms. McGee within <u>60 days</u>, the complete EEOC record for her complaints to the EEOC for the period of January 1, 2008 to September 6, 2011. The files to be produced, in both cases, includes any filings and correspondence to the EEOC whether it is directed to both cases within that time period. IT IS ORDERED that Plaintiff shall provide the names of treating doctors seen by plaintiff for the years of 2009, 2010 and 2011. She is also directed to sign medical release forms for these doctors so that the Defendant may obtain copies of her records. IT IS FURTHER ORDERED that Defendant shall provide copies of any medical records received to the Plaintiff. The Court gives leave to defense counsel to submit, a proposed Order for the production of medical records, for the Court's consideration. IT IS FURTHER ORDERED that Plaintiff Lola McGee's <u>47</u> Motion to Remove Department of Justice from Representation is DENIED. IT IS FURTHER ORDERED that Plaintiff Lola McGee's <u>52</u> Motion to Expedite Ruling on Pending Motions is DENIED AS MOOT. IT IS FURTHER ORDERED that the transcript of the hearing shall serve as the Opinion and Order of the Court. (Copies have been distributed pursuant to the NEF - BEL) (Entered: 09/12/2015)
09/23/2015	<u>60</u>	MOTION Copy of transcript without being charged <i>Plaintiff was awarded In Forma Pauperus filing status</i> by Plaintiff Lola McGee. Responses due by 10/10/2015. (McGee, Lola) (Entered: 09/23/2015)
10/07/2015	<u>61</u>	ORDER Granting <u>60</u> Motion for a Copy of the Transcript of the 9/11/15 Motion Hearing and Oral Arguments. Signed by Judge Richard F. Boulware, II on 10/7/15. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 10/07/2015)
10/12/2015	<u>62</u>	MOTION Clarification/Correction to Record/Background by Plaintiff Lola McGee. Responses due by 10/29/2015. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit)(McGee, Lola) (Entered: 10/12/2015)
10/22/2015	<u>63</u>	TRANSCRIPT of Proceedings, <u>57</u> Order on Motion, Order on Motion to Expedite, Order on Motion to Dismiss, Motion Hearing, held on 9/11/2015, before Judge Richard F.

		Boulware, II. Court Reporter: Patricia L. Ganci pattyganci@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter using the court's Transcript Order form available on our website, at www.nvd.uscourts.gov, before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter or PACER Redaction Request due 11/12/2015. Redacted Transcript Deadline set for 11/22/2015. Release of Transcript Restriction set for 1/20/2016. (PG) (Entered: 10/22/2015)
10/29/2015	<u>64</u>	RESPONSE to <u>62</u> Motion,, filed by Defendant Megan J. Brennan. Replies due by 11/8/2015. (Rosse, Krystal) (Entered: 10/29/2015)
11/01/2015	<u>65</u>	REPLY to Response to <u>62</u> Motion, filed by Plaintiff Lola McGee. (McGee, Lola) (Entered: 11/01/2015)
11/10/2015	<u>66</u>	NOTICE of Compliance with Order by Megan J. Brennan re 57 Order (Rosse, Krystal) (Entered: 11/10/2015)
11/25/2015	<u>67</u>	NOTICE re: Subpoena; filed by Megan J. Brennan. (Attachments: # <u>1</u> Exhibit Subpoena to Testify in Civil Action)(Rosse, Krystal) (Entered: 11/25/2015)
12/01/2015	<u>68</u>	MOTION to Extend Time re: Discovery; filed by Defendant Megan J. Brennan. (Attachments: # <u>1</u> Exhibit Email from Plaintiff)(Rosse, Krystal) (Entered: 12/01/2015)
12/01/2015	<u>69</u>	NOTICE re: Subpoena; filed by Megan J. Brennan. (Attachments: # <u>1</u> Exhibit Subpoena) (Rosse, Krystal) (Entered: 12/01/2015)
12/02/2015	<u>70</u>	ORDER that a Hearing re <u>68</u> Motion for Extension of Time is set for 12/15/2015 at 11:00 AM in LV Courtroom 3D before Magistrate Judge Cam Ferenbach. FURTHER ORDERED that any opposition to <u>68</u> Defendant's Motion for Extension of Time must be filed on or before December 7, 2015. Signed by Magistrate Judge Cam Ferenbach on 12/2/15. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 12/02/2015)
12/08/2015	<u>71</u>	NOTICE of Association of Counsel by Sharon Nelson on behalf of Plaintiff Lola McGee. (Nelson, Sharon) (Entered: 12/08/2015)
12/08/2015	<u>72</u>	NON-OPPOSITION to <u>68</u> Motion to Extend Time/Shorten Time regarding Discovery or Nondispositive matter ; filed by Plaintiff Lola McGee. (Nelson, Sharon) (Entered: 12/08/2015)
12/08/2015	<u>73</u>	ORDER that the parties file, no later than December 15, 2015, a joint status report indicating whether they believe an ENE would be fruitful at this time. Signed by Magistrate Judge Nancy J. Koppe on 12/8/15. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 12/08/2015)
12/08/2015	<u>74</u>	NOTICE to <u>69</u> NOTICE re: Subpoena; filed by Megan J. Brennan. (Rosse, Krystal) (Entered: 12/08/2015)
12/14/2015	<u>75</u>	ORDER Granting <u>68</u> Motion to Extend Time. IT IS FURTHER ORDERED that the hearing scheduled for 11:00 a.m., December 15, 2015 is VACATED. Signed by Magistrate Judge Cam Ferenbach on 12/14/15. (Copies have been distributed pursuant to the NEF - TR) (Entered: 12/14/2015)
12/15/2015	<u>76</u>	Joint STATUS REPORT by Defendant Megan J. Brennan. (Rosse, Krystal) (Entered: 12/15/2015)
12/15/2015	<u>77</u>	ORDER that the Clerk's Office is INSTRUCTED to remove the undersigned as the settlement judge and remove the ENE flag from CM/ECF in this case. Signed by

		Magistrate Judge Nancy J. Koppe on 12/15/15. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 12/16/2015)
02/10/2016	<u>78</u>	Unopposed SECOND MOTION to Extend Time re: Discovery Deadlines; filed by Defendant Megan J. Brennan. (Rosse, Krystal) (Entered: 02/10/2016)
02/12/2016	<u>79</u>	ORDER that a Hearing re <u>78</u> Motion for Extension of Time is set for 3/4/2016 10:00 AM in LV Courtroom 3D before Magistrate Judge Cam Ferenbach. Signed by Magistrate Judge Cam Ferenbach on 2/12/16. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 02/12/2016)
02/24/2016	<u>80</u>	NON-OPPOSITION to <u>78</u> Unopposed SECOND MOTION to Extend Time re: Discovery Deadlines; filed by Plaintiff Lola McGee. (Nelson, Sharon) (Entered: 02/24/2016)
02/29/2016	<u>81</u>	MOTION to Substitute Attorney; filed by Plaintiff Lola McGee. (Attachments: # <u>1</u> Motion/Notice)(McGee, Lola) (Entered: 02/29/2016)
03/01/2016	<u>82</u>	ORDER that a Hearing re <u>81</u> Motion to Remove Nelson Law/Sharon Nelson as Attorney of Record is scheduled for 3/4/2016 10:00 AM in LV Courtroom 3D before Magistrate Judge Cam Ferenbach. Signed by Magistrate Judge Cam Ferenbach on 3/1/16. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 03/01/2016)
03/02/2016	<u>83</u>	NON-OPPOSITION to <u>81</u> Motion to Substitute Attorney ; filed by Plaintiff Lola McGee. (Nelson, Sharon) (Entered: 03/02/2016)
03/02/2016	<u>84</u>	UNOPPOSED MOTION to attend March 4, 2016 hearing telephonically by Plaintiff Lola McGee. (Nelson, Sharon) (Entered: 03/02/2016)
03/02/2016	<u>85</u>	ORDER that <u>84</u> Sharon Nelson's Motion to Attend the March 4, 2016 Hearing telephonically is GRANTED. Signed by Magistrate Judge Cam Ferenbach on 3/2/16. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 03/02/2016)
03/02/2016	<u>86</u>	MOTION Accommodation <i>Request</i> by Plaintiff Lola McGee. Responses due by 3/19/2016. (McGee, Lola) (Entered: 03/02/2016)
03/02/2016	<u>87</u>	ORDER that a Hearing re <u>86</u> Motion for Accommodation is scheduled for 3/4/2016 at 10:00 AM in LV Courtroom 3D before Magistrate Judge Cam Ferenbach. Signed by Magistrate Judge Cam Ferenbach on 3/2/16. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 03/02/2016)
03/02/2016	<u>88</u>	NOTICE to Court to Remove Nelson Law/Sharon Nelson as Attorney of Record and that Plaintiff is proceeding pro se, filed by Lola McGee. (MMM) (Entered: 03/03/2016)
03/04/2016	<u>89</u>	MINUTES OF PROCEEDINGS - Hearing re unopposed second motion to extend time <u>78</u> , motion to substitute counsel <u>81</u> and motion to accommodate <u>86</u> held on 3/4/2016 before Magistrate Judge Cam Ferenbach. Crtrm Administrator: <i>J. Ries</i> ; Pla Counsel: <i>Sharon Nelson appearing telephonically</i> ; Def Counsel: <i>Krystal Rosse</i> ; Court Reporter/FTR #: <i>10:01 - 10:31</i> ; Time of Hearing: <i>10:00 a.m.</i> ; Courtroom: <i>3D</i> ; The plaintiff, Lola McGee is present. The court canvasses and hears representations from the parties. ORDERED that the motion to substitute counsel <u>81</u> is GRANTED and Ms. Nelson is excused from this hearing. The plaintiff Lola McGee is now representing herself and she is allowed to file electronically on the CM/ECF system. FURTHER ORDERED that the unopposed second motion to extend time <u>78</u> is GRANTED to the extent that Dr. Jenkins deposition will go forward as noticed and the deposition of Mary Reed must be video taped and completed by 4/15/16. Dispositive motions deadline is 5/16/16. Motion to accommodate <u>86</u> is DENIED as unnecessary. (no image attached) (Copies have been distributed pursuant to the NEF - JAR) (Entered: 03/04/2016)

03/08/2016	<u>90</u>	MOTION for Sanctions re Discovery; filed by Plaintiff Lola McGee. Responses due by 3/25/2016. (McGee, Lola) (Entered: 03/08/2016)
03/18/2016	<u>91</u>	MOTION to Expedite re: <u>90</u> MOTION for Sanctions re Discovery; filed by Plaintiff Lola McGee. (McGee, Lola) (Entered: 03/18/2016)
03/21/2016	<u>92</u>	STRICKEN Pursuant to # <u>99</u> ORDER : NOTICE ~~filed by Lola McGee. (McGee, Lola)~~ Modified on 4/15/2016 to denote STRICKEN (DRM). (Entered: 03/21/2016)
03/22/2016	<u>93</u>	MOTION to Compel Re:Discovery; filed by Plaintiff Lola McGee. Responses due by 4/8/2016. (McGee, Lola) (Entered: 03/22/2016)
03/25/2016	<u>94</u>	RESPONSE to <u>90</u> Motion for Sanctions re Discovery, filed by Defendant Megan J. Brennan. Replies due by 4/4/2016. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Rosse, Krystal) (Entered: 03/25/2016)
03/28/2016	<u>95</u>	OBJECTION to <u>92</u> Plaintiffs 1st Supplement to Initial Disclosures filed by Defendant Megan J. Brennan. (Rosse, Krystal) (Entered: 03/28/2016)
03/28/2016	<u>96</u>	MOTION to Retract re: <u>92</u> NOTICE; filed by Plaintiff Lola McGee. Responses due by 4/14/2016. (McGee, Lola) (Entered: 03/28/2016)
03/28/2016	<u>97</u>	REPLY to Response to <u>90</u> Motion for Sanctions re Discovery filed by Plaintiff Lola McGee. (McGee, Lola) (Entered: 03/28/2016)
04/08/2016	<u>98</u>	RESPONSE to <u>93</u> Motion to Compel, filed by Defendant Megan J. Brennan. Replies due by 4/18/2016. (Attachments: # <u>1</u> Exhibit 1. Transcript excerpts, # <u>2</u> Exhibit 2. Email with 1st Supp Disclosures)(Rosse, Krystal) (Entered: 04/08/2016)
04/15/2016	<u>99</u>	ORDER GRANTING <u>96</u> Motion to Retract : The clerk is directed to strike docket # <u>92</u> . Signed by Magistrate Judge Cam Ferenbach on 4/14/2016. (Copies have been distributed pursuant to the NEF - DRM) (Entered: 04/15/2016)
04/29/2016	<u>100</u>	ORDER that a Hearing re <u>90</u> Motion for Sanctions re Discovery; <u>91</u> Motion to Expedite; and <u>93</u> Motion to Compel is scheduled for 5/20/2016 01:00 PM in LV Courtroom 3D before Magistrate Judge Cam Ferenbach. FURTHER ORDERED that Ms. Lola McGee must appear in person at the scheduled hearing on May 20, 2016 at 1:00 p.m. Signed by Magistrate Judge Cam Ferenbach on 4/29/16. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 05/02/2016)
05/06/2016	<u>101</u>	MOTION to Retract re: <u>90</u> MOTION for Sanctions, <u>91</u> MOTION to Expedite and <u>93</u> MOTION to Compel; filed by Plaintiff Lola McGee. Responses due by 5/23/2016. (McGee, Lola) Modified text to establish docket entry relationship pursuant to LR IC 2-2(d)on 5/6/2016 (RFJ). (Entered: 05/06/2016)
05/06/2016		NOTICE of Docket Correction: to <u>101</u> MOTION to Retract re: <u>90</u> MOTION for Sanctions, <u>91</u> MOTION to Expedite and <u>93</u> MOTION to Compel: ERROR: Documents should have been properly linked to establish the docket-entry relationship pursuant to LR IC 2-2(d). CORRECTION: The Court modified the entry to establish <u>proper</u> docket entry relationship. Pro Se party Lola McGee advised in the future to file documents pursuant to LR IC 2-2(d). (no image attached) (RFJ) (Entered: 05/06/2016)
05/06/2016	<u>102</u>	ORDER re <u>101</u> Motion to Retract. ORDERED that any opposition to Plaintiff's Motion to Retract must be filed on or before May 13, 2016. If no opposition is filed, the Court may grant Plaintiff's Motion to Retract (ECF NO. 101). Signed by Magistrate Judge Cam

		Ferenbach on 5/6/16. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 05/09/2016)
05/10/2016	<u>103</u>	MOTION Retract Plaintiff's Motion ECF # <u>101</u> by Plaintiff Lola McGee. Responses due by 5/27/2016. (McGee, Lola) (Entered: 05/10/2016)
05/13/2016	<u>104</u>	RESPONSE to <u>101</u> Motion,, filed by Defendant Megan J. Brennan. Replies due by 5/23/2016. (Rosse, Krystal) (Entered: 05/13/2016)
05/13/2016	<u>105</u>	RESPONSE to <u>103</u> Motion, filed by Defendant Megan J. Brennan. Replies due by 5/23/2016. (Rosse, Krystal) (Entered: 05/13/2016)
05/16/2016	<u>106</u>	MOTION to Dismiss <i>Renewed</i> by Defendant Megan J. Brennan. Responses due by 6/2/2016. (Attachments: # <u>1</u> Exhibit A. EEOC Excerpts, # <u>2</u> Exhibit B. Plaintiff Correspondence, # <u>3</u> Exhibit C. Reed Deposition Excerpts, # <u>4</u> Exhibit D. Jenkins Deposition Excerpts, # <u>5</u> Exhibit E. Etcoff Review)(Rosse, Krystal) (Entered: 05/16/2016)
05/17/2016	<u>107</u>	MINUTE ORDER IN CHAMBERS Regarding the Requirements of <i>Klinge v. Eikenberry</i> and <i>Rand v. Rowland</i> as to <u>106</u> Motion to Dismiss,. Opposition due 14 days from the date of this Minute Order, and reply due seven 7 days after the filing of the opposition. Signed by Judge Richard F. Boulware, II on 5/17/2016. (Copies have been distributed pursuant to the NEF - EDS) (Entered: 05/17/2016)
05/17/2016	<u>108</u>	ORDER that a Hearing re <u>101</u> Motion to Retract and <u>103</u> Motion Retract Plaintiff's Motion ECF #101 is scheduled for 5/20/2016 01:00 PM in LV Courtroom 3D before Magistrate Judge Cam Ferenbach. Signed by Magistrate Judge Cam Ferenbach on 5/17/16. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 05/17/2016)
05/19/2016	<u>109</u>	REPLY to Response to <u>101</u> Motion to Retract filed by Plaintiff Lola McGee. (McGee, Lola) <u>Modified docket relationship on 5/20/2016 (EDS)</u> . (Entered: 05/19/2016)
05/19/2016	<u>110</u>	REPLY to Response to <u>103</u> Motion to Retract filed by Plaintiff Lola McGee. (McGee, Lola) <u>Modified docket relationship on 5/20/2016 (EDS)</u> . (Entered: 05/19/2016)
05/20/2016	111	MINUTES OF PROCEEDINGS - Motion Hearing held on 5/20/2016 before Magistrate Judge Cam Ferenbach. Ctrm Administrator: <i>N. Vaglio</i>; Pla Counsel: <i>Lola McGee, Pro Se with Rosemary Garity</i>; Def Counsel: <i>Krystal Rosse and Lindsey Roberts</i>; Court Reporter/FTR #: <i>12:58 p.m. - 1:31 p.m.</i>; Courtroom: <i>3D</i>; The Court advises the parties that Plaintiff's <u>91</u> , <u>101</u> , and <u>103</u> motions are Denied. The Court canvasses and hears representations and arguments from counsel. IT IS ORDERED that <u>90</u> and <u>93</u> motions are Denied. The Court will enter an Order re <u>90</u> motion and the parties will have 14 days to object. The Court further advises the parties that no sanctions will be awarded at this time. IT IS ORDERED that the Defendant will subpoena Dr. Jenkins for a deposition no later than 07/08/2016. Defendant will pay \$500.00 for thirty (30) minutes of testimony wherein the Plaintiff will have twenty (20) minutes of questioning, and Defendant will be allowed ten (10) minutes of follow-up. IT IS FURTHER ORDERED that Plaintiff's response to Defendant's <u>106</u> Motion to Dismiss is due by 8/5/2016. Replies due in the ordinary course. (Copies have been distributed pursuant to the NEF - NEV) (Entered: 05/20/2016)
05/23/2016	<u>112</u>	MOTION for Transcripts by Plaintiff Lola McGee. Responses due by 6/9/2016. (McGee, Lola) (Entered: 05/23/2016)

05/23/2016	<u>113</u>	ORDER that <u>90</u> Motion for Court Order and Sanctions is DENIED. FURTHER ORDERED that <u>91</u> Motion to Expedite is DENIED as moot. FURTHER ORDERED that <u>93</u> Motion to Compel is DENIED. FURTHER ORDERED that the Brennan will subpoena Dr. Jenkins for a deposition. McGee will be allowed to question Dr. Jenkins for twenty minutes, and Brennan will be allowed ten minutes of follow-up. Brennan will pay Dr. Jenkins' \$500 witness fee. FURTHER ORDERED that McGee take Dr. Jenkins' deposition on or before July 8, 2016. FURTHER ORDERED that McGee's response to Brennan's motion to dismiss (ECF No. <u>106</u>) is due by August 5, 2016. Brennan's reply will be due in the ordinary course. Signed by Magistrate Judge Cam Ferenbach on 5/23/16. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 05/24/2016)
05/24/2016	<u>114</u>	ORDER that <u>112</u> Request for Transcripts is GRANTED. Signed by Magistrate Judge Cam Ferenbach on 5/24/16. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 05/25/2016)
06/02/2016	<u>115</u>	MOTION for Clarification or Alternatively, MOTION for Reconsideration re <u>113</u> ORDER; filed by Defendant Megan J. Brennan. Responses due by 6/19/2016. (Rosse, Krystal) (Entered: 06/02/2016)
06/06/2016	<u>116</u>	RESPONSE to <u>115</u> Motion for Clarification filed by Plaintiff Lola McGee. Replies due by 6/16/2016. (McGee, Lola) (Entered: 06/06/2016)
06/16/2016	<u>117</u>	REPLY to Response to <u>115</u> MOTION for Clarification or Alternatively, MOTION for Reconsideration; filed by Defendant Megan J. Brennan. (Rosse, Krystal) (Entered: 06/16/2016)
06/22/2016	<u>118</u>	ORDER that a Hearing re <u>115</u> Motion for Clarification or Reconsideration is set for 6/24/2016 at 11:00 AM in LV Courtroom 3D before Magistrate Judge Cam Ferenbach. Signed by Magistrate Judge Cam Ferenbach on 6/22/16. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 06/22/2016)
06/24/2016	120	MINUTES OF PROCEEDINGS - Hearing re motion for clarification/reconsideration <u>115</u> held on 6/24/2016 before Magistrate Judge Cam Ferenbach. Crtrm Administrator: <i>J. Ries</i> ; Def Counsel: <i>Krystal Rosse</i> ; Court Reporter/FTR #: <i>11:14 - 11:40</i> ; Time of Hearing: <i>11:00</i> ; Courtroom: <i>3D</i> ; The plaintiff, Ms. McGee and her assistant Wykesha Highsmith are present telephonically. The court canvasses and hears representations from the parties. ORDERED that the motion for clarification/reconsideration <u>115</u> is GRANTED as to clarification only. The deposition with Dr. Jenkins is scheduled for 7/6/16 at 8:00 a.m. and the plaintiff is allowed 20 minutes of testimony and the defendant is allowed 10 minutes of rebuttal, as stated on the record. FURTHER ORDERED that the defendant will pay for the court reporter. (no image attached) (Copies have been distributed pursuant to the NEF - JAR) (Entered: 06/28/2016)
06/25/2016	<u>119</u>	MOTION for Transcript dated 6/24/16 Motion Hearing regarding Defendant's (ECF <u>115</u>) before Magistrate Judge Cam Ferenbach at 11:00am by Plaintiff Lola McGee. Responses due by 7/12/2016. (McGee, Lola) (Entered: 06/25/2016)
06/28/2016	121	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge Cam Ferenbach, on 6/28/2016. By Deputy Clerk: J. Ries. The court has received a MOTION Request <u>119</u> for Transcript dated 6/24/16 Motion Hearing regarding Defendant's (ECF <u>115</u>), filed by the plaintiff. After reviewing the record, ORDERED that the motion request <u>119</u> for transcript of the hearing conducted on 6/24/16 is GRANTED in part and DENIED in part. The motion is DENIED with request for a transcript, however the clerk is instructed to provide the plaintiff with an audio recording of the hearing dated 6/24/16 120 . (no image attached) (Copies have been distributed pursuant to the NEF - JAR) (Entered: 06/28/2016)

06/29/2016	<u>122</u>	MOTION Plaintiff be provided a complete paper copy to aide her because of disabilities and symptoms , <i>and Plaintiff would like this motion to be reviewed as soon as possible, because Dr. Rick Jenkins deposition is on 7-6-16 at 8:00am and plaintiff's response to ECF 106 dismissal is fast approaching</i> by Plaintiff Lola McGee. Responses due by 7/16/2016. (McGee, Lola) (Entered: 06/29/2016)
06/30/2016	123	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge Cam Ferenbach, on 6/30/2016. By Deputy Clerk: J. Ries. ORDERED that a telephonic hearing is scheduled for 7/1/16 at 11:00 a.m. RE: MOTION Plaintiff be provided a complete paper copy <u>122</u> . The parties are instructed to call at least 5 minutes prior to the hearing time at 1-888-273-3658 and when prompted enter access code 3912597. The call must be generated from a landline and use of cell phone or speaker phone is prohibited. (no image attached) (Copies have been distributed pursuant to the NEF - JAR) (Entered: 06/30/2016)
07/01/2016	128	MINUTES OF PROCEEDINGS - Hearing re motion for paper copy of transcript <u>122</u> held on 7/1/2016 before Magistrate Judge Cam Ferenbach. Crtrm Administrator: <i>J. Ries</i> ; Def Counsel: <i>Lindsay Roberts for Krystal Rosse</i> ; Court Reporter/FTR #: <i>11:02 - 11:10</i> ; Time of Hearing: <i>11:00 a.m.</i> ; Courtroom: <i>3C</i> ; The court canvasses and hears representations from the parties. Government has ordered a copy of the transcript in question docket # 120 and in the matter of fairness, ORDERED that the government provide the plaintiff with a copy of said transcript. See docket entry <u>127</u> . (no image attached) (Copies have been distributed pursuant to the NEF - JAR) (Entered: 07/06/2016)
07/05/2016	<u>124</u>	TRANSCRIPT of Proceedings, 89 Miscellaneous Hearing, held on 3/4/2016, before Magistrate Judge Cam Ferenbach. Transcriber: Patricia L. Ganci pattyganci@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Transcriber using the court's Transcript Order form available on our website, at www.nvd.uscourts.gov, before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Transcriber or PACER Redaction Request due 7/26/2016. Redacted Transcript Deadline set for 8/5/2016. Release of Transcript Restriction set for 10/3/2016. (PG) (Entered: 07/05/2016)
07/05/2016	<u>125</u>	TRANSCRIPT of Proceedings, 111 Order on Motion for Sanctions re Discovery, Order on Motion to Expedite, Order on Motion to Compel, Motion Hearing, held on 5/20/2016, before Magistrate Judge Cam Ferenbach. Transcriber: Patricia L. Ganci pattyganci@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Transcriber using the court's Transcript Order form available on our website, at www.nvd.uscourts.gov, before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Transcriber or PACER Redaction Request due 7/26/2016. Redacted Transcript Deadline set for 8/5/2016. Release of Transcript Restriction set for 10/3/2016. (PG) (Entered: 07/05/2016)
07/05/2016	<u>126</u>	TRANSCRIPT of Proceedings, 120 Miscellaneous Hearing, held on 6/24/2016, before Magistrate Judge Cam Ferenbach. Transcriber: Patricia L. Ganci pattyganci@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Transcriber using the court's Transcript Order form available on our website, at www.nvd.uscourts.gov, before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Transcriber or PACER Redaction Request due 7/26/2016. Redacted Transcript Deadline set for 8/5/2016. Release of Transcript Restriction set for 10/3/2016. (PG) (Entered: 07/05/2016)
07/05/2016	<u>127</u>	NOTICE of Compliance with Court Order by Megan J. Brennan re 123 Minute Order,,. (Rosse, Krystal) (Entered: 07/05/2016)

07/08/2016	<u>129</u>	OBJECTIONS re LR IB 3-1 or MOTION for District Judge to Reconsider Order re 120 Miscellaneous Hearing,,, <u>113</u> Order,,, Set/Reset Motion and R&R Deadlines/Hearings,,, by Defendant Megan J. Brennan. Responses due by 7/25/2016. (Rosse, Krystal) (Entered: 07/08/2016)
07/08/2016	<u>130</u>	EXHIBIT(s) to <u>129</u> Objections re LR IB 3-1 or Motion for District Judge to Reconsider Order, ; filed by Defendant Megan J. Brennan. (Attachments: # <u>1</u> Exhibit 1. Excerpt of Transcript of September 11, 2015 Hearing, # <u>2</u> Exhibit 2. Excerpt of Transcript of June 24, 2016 Hearing, # <u>3</u> Exhibit 3. Excerpt of Transcript of May 20, 2016 Hearing)(Rosse, Krystal) (Entered: 07/08/2016)
07/10/2016	<u>131</u>	RESPONSE to <u>129</u> Objections re LR IB 3-1 or Motion for District Judge to Reconsider Order,, filed by Plaintiff Lola McGee. Replies due by 7/20/2016. (McGee, Lola) (Entered: 07/10/2016)
07/12/2016	<u>132</u>	ERROR: Document not filed pursuant to LR IC 2-2(c) and LR IC 2-2(d) by attorney. CORRECTION: Attorney advised to refile documents using the correct event and properly establish docket entry relationship. ~~NOTICE; filed by Megan J. Brennan. (Rosse, Krystal)~~ Modified on 7/12/2016 (RFJ). (Entered: 07/12/2016)
07/12/2016	<u>133</u>	NOTICE: of Non Compliance with LR IC 2-2(c) and <u>Attorney Action Required</u> re: <u>132</u> Notice: ERROR: Wrong event selected by attorney <u>Krystal J Rosse</u> . CORRECTION: Attorney advised to refile document <u>132</u> using the correct <i>Non-Opposition</i> event, found under the <u>Response, Reply and Other Related Documents</u> category pursuant to LR IC 2-2(c) and properly link newly filed <u>Non-Opposition</u> to the appropriate Motion pursuant to LR IC 2-2(d). (no image attached) (RFJ) (Entered: 07/12/2016)
07/12/2016	<u>134</u>	NON-OPPOSITION to <u>122</u> Motion, <u>119</u> Motion ; filed by Defendant Megan J. Brennan. (Rosse, Krystal) (Entered: 07/12/2016)
07/21/2016	<u>135</u>	REPLY to Response to <u>129</u> Objections re LR IB 3-1 or Motion for District Judge to Reconsider Order, filed by Defendant Megan J. Brennan. (Attachments: # <u>1</u> Exhibit Excerpts of September 11, 2015 Hearing Transcript)(Rosse, Krystal) (Entered: 07/21/2016)
08/05/2016	<u>136</u>	RESPONSE to <u>106</u> Motion to Dismiss, filed by Plaintiff Lola McGee. (Attachments: # <u>1</u> EX 1, # <u>2</u> EX 2, # <u>3</u> EX 3, # <u>4</u> EX 4, # <u>5</u> EX 5, # <u>6</u> EX 6, # <u>7</u> EX 7, # <u>8</u> EX 8, # ~~9~~ EX 9, # <u>10</u> EX 10, # <u>11</u> EX 11, # <u>12</u> EX 12, # <u>13</u> EX 13, # <u>14</u> EX 14)(McGee, Lola) Exhibit 9 - Pursuant to ECF 144(BEL). (Entered: 08/05/2016)
08/15/2016	<u>137</u>	MOTION to Strike <u>136</u> Response to Motion, by Defendant Megan J. Brennan. Responses due by 9/1/2016. (Rosse, Krystal) (Entered: 08/15/2016)
08/15/2016	<u>138</u>	REPLY to Response to <u>106</u> Motion to Dismiss, filed by Defendant Megan J. Brennan. (Attachments: # <u>1</u> Exhibit A. Excerpts of Deposition of Mary J. Reed, Ph.D., # <u>2</u> Exhibit B. Excerpts of July 6, 2016 Deposition of Rick Jenkins, M.D.)(Rosse, Krystal) (Entered: 08/15/2016)
08/21/2016	<u>139</u>	RESPONSE to <u>137</u> Motion to Strike, <u>106</u> Motion to Dismiss,, filed by Plaintiff Lola McGee. Replies due by 8/31/2016. (Attachments: # <u>1</u> EX 1 Opposition, # <u>2</u> EX 2 Corrected Opposition)(McGee, Lola) (Entered: 08/21/2016)

08/24/2016	140	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II, on 8/24/2016. IT IS ORDERED that Plaintiff's Motion for Clarification <u>62</u> is DENIED without prejudice. It is not a proper motion before the Court and has no legal basis for being considered by the Court at this time. Plaintiff may present evidence in the context of dispositive motions or other motions permitted under the Federal Rules of Civil Procedure. (Copies have been distributed pursuant to the NEF - BEL) (Entered: 08/24/2016)
08/31/2016	<u>141</u>	REPLY to Response to <u>137</u> Motion to Strike filed by Defendant Megan J. Brennan. (Rosse, Krystal) (Entered: 08/31/2016)
11/23/2016	142	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II, on 11/23/2016. IT IS ORDERED that a hearing is set for <u>December 19, 2016 at 10:00 AM</u> in LV Courtroom 7C before Judge Richard F. Boulware, II. The hearing will address the following; <u>106</u> MOTION to Dismiss, <u>129</u> OBJECTIONS re LR IB 3-1 or MOTION for District Judge to Reconsider <i>Orders 120 & 113</i> and <u>137</u> MOTION to Strike <u>136</u> <i>Response to Motion</i>. A hearing is set for December 19, 2016. Counsel for the parties are ordered to appear at this hearing. Failure to appear at the scheduled hearing time may result in the imposition of sanctions, including but not limited to monetary sanctions, granting of the opposing party's motion or case-dispositive sanctions. Each party shall have three days to notify the Courtroom Administrator by email if it is unable to attend and propose an alternative hearing time after consulting with opposing counsel. (no image attached) (Copies have been distributed pursuant to the NEF - BEL) (Entered: 11/23/2016)
12/19/2016	144	MINUTES OF PROCEEDINGS - Motion Hearing held on 12/19/2016 before the Honorable Richard F. Boulware, II. Crtrm Administrator: <i>Blanca Lenzi</i>; Pla Counsel: <i>Lola McGee, Pro Se with Rosemary Garrity</i>; Def Counsel: <i>Krystal Rosse and Lindsay Roberts</i>; Court Reporter/Recorder: <i>Patty Ganci</i>; Time of Hearing: <i>10:16 AM 11:22 AM</i>; Courtroom: <i>7C</i>. Plaintiff Lola McGee is present appearing <i>pro se</i>. The Court makes preliminary statements and hears representation of the parties regarding the <u>106</u> MOTION to Renewed Dismiss, <u>129</u> OBJECTIONS re LR IB 3-1 or MOTION for District Judge to Reconsider Orders <i>120 & 113</i> and <u>137</u> MOTION to Strike <u>136</u> <i>Response to Motion</i>. For the reasons stated on the record at the hearing, IT IS ORDERED that <u>137</u> Motion to Strike <u>136</u> Response is DENIED except for exhibit 9, which will be stricken from the record. The clerk is directed to strike exhibit 9 of <u>136</u> Response. The Court takes the motions under submission and will issue a written Order. IT IS FURTHER ORDERED that discovery shall be stayed until the Court's written ruling issues. The Court will address the issue regarding whether or not to provide additional briefing as it relates to the ADEA claim and the 1981 claim and whether or not discovery should proceed after the Court's decision is issued in this case.

		(Copies have been distributed pursuant to the NEF - BEL) (Entered: 01/02/2017)
12/27/2016	<u>143</u>	MOTION for Consideration and Complaint , filed by Plaintiff Lola McGee. (McGee, Lola) Modified event on 12/28/2016 (TR). (Entered: 12/27/2016)
01/04/2017	<u>145</u>	NOTICE of Clarification by Lola McGee re 144 MINUTES of Hearing. (MMM) (Entered: 01/09/2017)
01/13/2017	<u>146</u>	RESPONSE to <u>143</u> Motion, filed by Defendant Megan J. Brennan. Replies due by 1/20/2017. (Rosse, Krystal) (Entered: 01/13/2017)
01/14/2017	<u>147</u>	REPLY to Response to <u>143</u> Motion filed by Plaintiff Lola McGee. <i>Regarding Defendant's Inappropriate Response - ECF 146</i> (Attachments: # <u>1</u> Exhibit EX 1, # <u>2</u> Exhibit EX 2) (McGee, Lola) (Entered: 01/14/2017)
01/20/2017	<u>148</u>	RESPONSE to <u>145</u> Notice of Clarification, filed by Defendant Megan J. Brennan. Replies due by 1/27/2017. (Rosse, Krystal) (Entered: 01/20/2017)
01/22/2017	<u>149</u>	REPLY to Response to <u>145</u> Notice, filed by Plaintiff Lola McGee. (McGee, Lola) Modified on 1/23/2017 to create docket entry relationship (TR). (Entered: 01/22/2017)
02/06/2017	<u>150</u>	MOTION Request for Transcript of Hearing held on 12-19-16 before the Honorable Richard F. Boulware, II by Plaintiff Lola McGee. Responses due by 2/20/2017. (McGee, Lola) (Entered: 02/06/2017)
02/08/2017	151	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II, on 2/8/2017. IT IS ORDERED that Plaintiff's <u>150</u> Motion for Transcript pursuant to Court's <u>7</u> Order is GRANTED. (Copies have been distributed pursuant to the NEF - BEL) (Entered: 02/08/2017)
02/24/2017	<u>153</u>	TRANSCRIPT of Proceedings, 144 Order on Motion to Strike, Motion Hearing, held on 12/19/2016, before Judge Richard F. Boulware, II. Court Reporter: Patricia L. Ganci pattyganci@gmail.com. Any Redaction Request is due by 3/17/2017. Redacted Transcript Deadline is set for 3/27/2017. Release of the Transcript Restriction is set for 5/25/2017. Before release date, the transcript may be viewed at the court public terminal or purchased through the reporter. Transcript Order form is available on court website. After that date it may be obtained through the court reporter or PACER. (PG) (Entered: 04/06/2017)
03/31/2017	152	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II, on 3/31/2017. IT IS ORDERED that Motion to Dismiss <u>106</u> is GRANTED in part and DENIED in part. Motion for Reconsideration <u>129</u> is DENIED. A written order shall issue. (Copies have been distributed pursuant to the NEF - CVL) (Entered: 03/31/2017)
04/21/2017	<u>154</u>	NOTICE of Appearance by attorney Roger W. Wenthe on behalf of Defendant Patrick R. Donahoe. (Wenthe, Roger) (Entered: 04/21/2017)
06/20/2017	<u>155</u>	VERIFIED PETITION for Permission to Practice Pro Hac Vice by Frank DeMelfi and DESIGNATION of Local Counsel Christopher Connell (Filing fee \$ 250 receipt number 0978-4657458) by Plaintiff Lola McGee. (Connell, Christopher) Corrected Image <u>157</u> Attached on 6/29/2017 (TR). (Entered: 06/20/2017)

06/21/2017	<u>156</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Richard F. Boulware, II on 6/21/2017. IT IS HEREBY ORDERED that a ruling on Verified Petition for Permission to Practice Pro Hac Vice and Designation of Local Counsel [ECF No. 155] is DEFERRED. IT IS FURTHER ORDERED that Petitioner Frank DeMelfi shall appropriately answer No. 8, on Page 3. IT IS FURTHER ORDERED that Petitioner shall include the printed name AND TITLE of the party(ies) appointing Designated Resident Nevada Counsel in this case, in accordance with the instruction set forth on Page 5. IT IS FURTHER ORDERED that Petitioner shall provide a current Certificate of Good Standing from EACH state in which Petitioner has been admitted to practice law, in accordance with the instruction set forth on Page 2, No. 3 of the Petition. Petitioner shall have 14 days from the entry of this order to file corrected Verified Petitions using the "Notice of Corrected Image/Document" event. Failure to timely remedy this deficiency will result in the denial of the Verified Petitions, and Petitioners will be required to refile and to repay the filing fee. Signed by Judge Richard F. Boulware, II. (Copies have been distributed pursuant to the NEF - DLM). (Entered: 06/21/2017)
06/29/2017	<u>157</u>	NOTICE of Corrected Image/Document re <u>155</u> Verified Petition for Permission to Practice Pro Hac Vice by Plaintiff Lola McGee. (Service of corrected image is attached). (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Connell, Christopher) (Entered: 06/29/2017)
07/03/2017	<u>158</u>	ORDER Granting <u>155</u> Verified Petition for Permission to Practice Pro Hac Vice for Attorney Frank DeMelfi for Lola McGee and approving Designation of Local Counsel Christopher S. Connell. Signed by Judge Richard F. Boulware, II on 7/3/17. Any Attorney not yet registered with the Court's CM/ECF System shall submit a Registration Form on the Court's website www.nvd.uscourts.gov (Copies have been distributed pursuant to the NEF - ADR) (Entered: 07/03/2017)
07/20/2017	<u>159</u>	MOTION to Withdraw as Attorney by Frank DeMelfi and Christopher Connell by Plaintiff Lola McGee. (Attachments: # <u>1</u> Exhibit 1)(DeMelfi, Frank) (Entered: 07/20/2017)
07/24/2017	<u>161</u>	NOTICE of Change of Address by Plaintiff Lola McGee. Plaintiff's address updated to 1891 Poplar Falls Ave, Lithonia, GA 30058. (MMM) (Entered: 07/26/2017)
07/24/2017	<u>162</u>	MOTION to Remove Current Counsel from Case by Plaintiff Lola McGee (filed pro se). Responses due by 8/7/2017. (MMM) (Entered: 07/26/2017)
08/16/2017	<u>163</u>	ORDER that <u>159</u> Motion to Withdraw as Counsel for Plaintiff and <u>162</u> Motion to Remove Current Counsel from her Case and Reference Plaintiff's New Address are GRANTED. Signed by Magistrate Judge Cam Ferenbach on 8/16/17. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 08/17/2017)
08/28/2017	<u>164</u>	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II, on 8/28/2017. IT IS ORDERED that a hearing regarding <u>143</u> MOTION for Consideration and Complaint is set for September 7, 2017 at 4:00 PM before Judge Richard F. Boulware II.

		A hearing is for September 7, 2017. Plaintiff and Counsel for the defendants are ordered to appear at this hearing. Failure to appear at the scheduled hearing time may result in the imposition of sanctions, including but not limited to monetary sanctions, granting of the opposing party's motion or case-dispositive sanctions. Each party shall have three days to notify the Courtroom Administrator by email at blanca_lenzi@nvd.uscourts.gov if unable to attend and propose an alternative hearing time after consulting with opposing counsel. (no image attached) (Copies have been distributed pursuant to the NEF - BEL) (Entered: 08/28/2017)
08/29/2017	<u>165</u>	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II, on 8/29/2017. IT IS ORDERED that Plaintiff's <u>143</u> Motion for Consideration of Complaint is DENIED as moot. IT IS FURTHER ORDERED that the hearing regarding <u>143</u> Motion set for September 7, 2017 is VACATED. (Copies have been distributed pursuant to the NEF - BEL) (Entered: 08/29/2017)
10/10/2017	<u>166</u>	ORDER granting in part and denying in part ECF No. <u>106</u> Motion to Dismiss. Signed by Judge Richard F. Boulware, II on 10/10/2017. (Copies have been distributed pursuant to the NEF - KR) (Entered: 10/11/2017)
10/22/2017	<u>167</u>	OBJECTIONS re LR IB 3-1 or MOTION for District Judge to Reconsider Order re <u>166</u> Order, filed by Plaintiff Lola McGee. Responses due by 11/5/2017. (Attachments: # <u>1</u> EX 1, # <u>2</u> EX 2, # <u>3</u> EX 3, # <u>4</u> EX 4, # <u>5</u> EX 5, # <u>6</u> EX 6, # <u>7</u> EX 7, # <u>8</u> EX 8)(McGee, Lola) <u>Modified on 10/23/2017 to add docket entry relationship pursuant to LR IC 2-2(d) (TR)</u>. (Entered: 10/22/2017)
10/31/2017	<u>168</u>	EXHIBIT 7 to <u>167</u> Objections re LR IB 3-1 or Motion for District Judge to Reconsider Order; filed by Plaintiff Lola McGee. (A Notice of Manual Filing was not filed by plaintiff. This exhibit (book) can be located in file room on the administrative shelf for the year 2013.) (MMM) (Entered: 11/02/2017)
11/06/2017	<u>169</u>	RESPONSE to <u>167</u> Objections re LR IB 3-1 or Motion for District Judge to Reconsider Order,, filed by Defendant Megan J. Brennan. Replies due by 11/13/2017. (Rosse, Krystal) (Entered: 11/06/2017)
11/06/2017	<u>170</u>	MOTION to Dismiss <i>Section 1981 Claims</i> re <u>8</u> Amended Complaint, by Defendant Megan J. Brennan. Responses due by 11/20/2017. (Rosse, Krystal) (Entered: 11/06/2017)
11/07/2017	<u>171</u>	ORDER that <u>129</u> Defendant's Motion for Reconsideration is DENIED. Signed by Judge Richard F. Boulware, II on 10/31/17. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 11/07/2017)
11/13/2017	<u>172</u>	REPLY to Response to <u>167</u> Motion, by Plaintiff Lola McGee. (McGee, Lola) (Entered: 11/13/2017)
11/16/2017	<u>173</u>	MOTION for Default Judgment <i>Against Defendant (PMG) (USPS) for Failure to Answer Plaintiff's Amended Complaint within 14 days of Order ECF No. 166</i> by Plaintiff Lola McGee. (McGee, Lola) (Entered: 11/16/2017)
11/16/2017	<u>174</u>	MOTION to Stay ~~Case~~ Response to 170 Motion to Dismiss until Request for 173 Motion for Default Judgment is Ajudicated by Plaintiff Lola McGee. (McGee, Lola) <u>Modified docket text and added docket entry relationship on 11/17/2017 (DKJ)</u>. (Entered: 11/16/2017)

11/17/2017	<u>175</u>	MOTION to Amend/Correct <u>11</u> Exhibit, <u>8</u> Amended Complaint, by Plaintiff Lola McGee. Responses due by 12/1/2017. (McGee, Lola) (Entered: 11/17/2017)
11/17/2017	<u>176</u>	WITHDRAWAL of <u>175</u> Motion to Amend/Correct by Plaintiff Lola McGee. (McGee, Lola) (Entered: 11/17/2017)
11/20/2017	<u>177</u>	RESPONSE to <u>170</u> Motion to Dismiss by Plaintiff Lola McGee. Replies due by 11/27/2017. (McGee, Lola) (Entered: 11/20/2017)
11/27/2017	<u>178</u>	REPLY to Response to <u>170</u> Motion to Dismiss by Defendant Megan J. Brennan. (Rosse, Krystal) (Entered: 11/27/2017)
11/30/2017	<u>179</u>	RESPONSE to <u>173</u> Motion for Default Judgment by Defendant Megan J. Brennan. Replies due by 12/7/2017. (Rosse, Krystal) (Entered: 11/30/2017)
11/30/2017	<u>180</u>	RESPONSE to <u>174</u> Motion to Stay Case, by Defendant Megan J. Brennan. Replies due by 12/7/2017. (Rosse, Krystal) (Entered: 11/30/2017)
12/04/2017	<u>181</u>	NOTICE re: Obstruction of justice, filed by Lola McGee re <u>166</u> Order. (McGee, Lola) (Entered: 12/04/2017)
12/05/2017	<u>182</u>	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II on 12/5/2017. The Court's deputy has received email from Ms. McGee on December 5, 2017, but the Court will not consider the content of the email. It is improper to request relief from the Court in this manner. If the Plaintiff seeks relief from the Court, she may file a motion or other appropriate submission in the Court docket. Email or telephone communications to the Court or Court staff about legal matters and/or seeking relief from the Court regarding the case are NOT permitted. Any future such communications may result in monetary or other sanctions, up to and including dismissal of this case. This email communication from the Court will also be filed as an order in the case docket. (no image attached) (Copies have been distributed pursuant to the NEF - BEL) (Entered: 12/05/2017)
12/07/2017	<u>183</u>	REPLY to Response to <u>173</u> Motion for Default Judgment by Plaintiff Lola McGee. (McGee, Lola) (Entered: 12/07/2017)
12/19/2017	<u>184</u>	RESPONSE to <u>181</u> Notice (Other) by Defendant Megan J. Brennan. (Attachments: # <u>1</u> Exhibit Letter to McGee on June 2, 2016) (Rosse, Krystal) (Entered: 12/19/2017)
03/16/2018	<u>185</u>	MOTION for Summary Judgment by Defendant Megan J. Brennan. Responses due by 4/6/2018. (Attachments: # <u>1</u> Index, # <u>2</u> Exhibit 1. Plaintiffs EEO Affidavit, # <u>3</u> Exhibit 2. Plaintiffs Supplemental EEO Affidavit, # <u>4</u> Exhibit 3. Corey Richards EEO Affidavit, # <u>5</u> Exhibit 4. Craig Colton EEO Affidavit, # <u>6</u> Exhibit 5. Robert Reynosa EEO Affidavit, # <u>7</u> Exhibit 6. Yul Melonson EEO Affidavit, # <u>8</u> Exhibit 7. 2008 EEO Partial Acceptance/Partial Dismissal of Formal EEO Complaint, # <u>9</u> Exhibit 8. October 20, 2008 Notice of Right to File, # <u>10</u> Exhibit 9. October 31, 2008 Formal EEO Complaint, # <u>11</u> Exhibit 10. February 4, 2009 EEO Acknowledgment of Amendment to Complaint Revised, # <u>12</u> Exhibit 11. Declaration of Angie Bush March 14, 2018) (Rosse, Krystal) (Entered: 03/16/2018)
03/19/2018	<u>186</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Richard F. Boulware, II on 3/19/2018. Regarding the Requirements of <i>Klingele v. Eikenberry</i> and <i>Rand v. Rowland</i> as to <u>185</u> Motion for Summary Judgment. Opposition due 21 days from the date of this Minute Order, and reply due 14 days after the filing of the opposition. (Copies have been distributed pursuant to the NEF - TR) (Entered: 03/19/2018)

03/21/2018	<u>187</u>	MOTION to Stay Case re <u>186</u> Minute Order regarding Requirements of Klingele, by Plaintiff Lola McGee. (McGee, Lola) (Entered: 03/21/2018)
03/23/2018	<u>188</u>	MOTION to Amend/Correct <u>187</u> Motion to Stay Case by Plaintiff Lola McGee. Responses due by 4/6/2018. (McGee, Lola) (Entered: 03/23/2018)
03/30/2018	<u>189</u>	RESPONSE to <u>187</u> Motion to Stay Case, <u>188</u> Motion to Amend/Correct by Defendant Megan J. Brennan. Replies due by 4/6/2018. (Rosse, Krystal) (Entered: 03/30/2018)
04/03/2018	<u>190</u>	REPLY to Response to <u>187</u> MOTION to Stay Case and <u>188</u> MOTION to Amend/Correct ~~189~~ Response, filed by Plaintiff Lola McGee. (McGee, Lola) <u>Modified on 4/4/2018 to correct docket entry relationship pursuant to LR IC 2-2(d)(TR).</u> (Entered: 04/03/2018)
04/03/2018	<u>191</u>	MOTION by Plaintiff Lola McGee. Responses due by 4/17/2018. (McGee, Lola) (Entered: 04/03/2018)
04/04/2018	<u>192</u>	MOTION to re <u>30</u> PROPOSED Discovery Plan/Scheduling Order , by Plaintiff Lola McGee. Responses due by 4/18/2018. (McGee, Lola) (Entered: 04/04/2018)
04/05/2018	<u>193</u>	MOTION for Entry of Clerk's Default Against Defendant USPS PMG Megan J. Brennan re <u>166</u> Order by Plaintiff Lola McGee. (McGee, Lola) (Entered: 04/05/2018)
04/05/2018	<u>194</u>	MOTION for Default Judgment against Defendant USPS re <u>173</u> Motion for Default Judgment by Plaintiff Lola McGee. (McGee, Lola) (Entered: 04/05/2018)
04/09/2018	<u>195</u>	RESPONSE to <u>185</u> Motion for Summary Judgment,,, by Plaintiff Lola McGee. Replies due by 4/23/2018. (McGee, Lola) (Entered: 04/09/2018)
04/17/2018	<u>196</u>	RESPONSE to <u>191</u> Motion by Defendant Megan J. Brennan. Replies due by 4/24/2018. (Rosse, Krystal) (Entered: 04/17/2018)
04/18/2018	<u>197</u>	RESPONSE to <u>192</u> Motion by Defendant Megan J. Brennan. Replies due by 4/25/2018. (Rosse, Krystal) (Entered: 04/18/2018)
04/19/2018	<u>198</u>	RESPONSE to <u>193</u> Motion for Entry of Clerks Default by Defendant Megan J. Brennan. Replies due by 4/26/2018. (Rosse, Krystal) (Entered: 04/19/2018)
04/19/2018	<u>199</u>	RESPONSE to <u>194</u> Motion for Default Judgment by Defendant Megan J. Brennan. Replies due by 4/26/2018. (Rosse, Krystal) (Entered: 04/19/2018)
04/21/2018	<u>200</u>	REPLY to Response to <u>191</u> MOTION ~~196~~ Response, filed by Plaintiff Lola McGee. (McGee, Lola) <u>Modified on 4/23/2018 to add docket entry relationship pursuant to LR IC 2-2(d)(TR).</u> (Entered: 04/21/2018)
04/22/2018	<u>201</u>	REPLY to Response to <u>192</u> Motion by Plaintiff Lola McGee. (McGee, Lola) (Entered: 04/22/2018)
04/23/2018	<u>202</u>	REPLY to Response to <u>185</u> Motion for Summary Judgment,,, by Defendant Megan J. Brennan. (Attachments: # <u>1</u> Exhibit 1. Declaration of Leslie Cedola, # <u>2</u> Exhibit 2. Plaintiff's Winterwood Application) (Rosse, Krystal) (Entered: 04/23/2018)
04/24/2018	<u>203</u>	REPLY to Response to <u>193</u> Motion for Entry of Clerks Default by Plaintiff Lola McGee. (McGee, Lola) (Entered: 04/24/2018)
04/24/2018	<u>204</u>	ERROR: Filed in error by filer. Duplicate entry. Please see <u>203</u> for correct entry. REPLY to Response to <u>193</u> Motion for Entry of Clerks Default by Plaintiff Lola McGee. (McGee, Lola) </s. (Entered: 04/24/2018)

04/26/2018	<u>205</u>	REPLY to Response to <u>194</u> Motion for Default Judgment by Plaintiff Lola McGee. (McGee, Lola) (Entered: 04/26/2018)
04/30/2018	<u>206</u>	NOTICE to District Judge Richard F. Boulware, II regarding CM/ECF system Emails and Filing Problems in her case, filed by Lola McGee. (McGee, Lola) (Entered: 04/30/2018)
07/11/2018	<u>207</u>	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II on 7/11/2018. IT IS ORDERED that a hearing is set for July 18, 2018 at 1:00 PM in LV Courtroom 7C before Judge Richard F. Boulware, II. The hearing will address the following: <u>167</u> OBJECTIONS re LR IB 3-1 or Motion for District Judge to Reconsider re <u>166</u> Order; <u>170</u> MOTION to Dismiss Section 1981 Claims re <u>8</u> Amended Complaint.; <u>173</u> MOTION for Default Judgment Against Defendant (PMG) (USPS) for Failure to Answer Plaintiff's Amended Complaint within 14 days of Court's Order; <u>174</u> MOTION to Stay Response to <u>170</u> Motion to Dismiss until Request for <u>173</u> Motion for Default Judgment is Adjudicated; <u>185</u> MOTION for Summary Judgment; <u>187</u> MOTION to Stay Case re <u>186</u> Minute ; <u>188</u> MOTION to Amend/Correct <u>187</u> Motion to Stay Case; <u>191</u> MOTION/REQUEST for Filings Pertaining to Joint Status Report and ENE be Put Back into CM/ECF System; <u>192</u> MOTION to re <u>30</u> PROPOSED Discovery Plan/Scheduling Order; <u>193</u> MOTION for Entry of Clerk's Default Against Defendant USPS PMG Megan J. Brennan re <u>166</u> Order; <u>194</u> MOTION for Default Judgment against Defendant USPS re <u>173</u> Motion for Default Judgment. (no image attached) (Copies have been distributed pursuant to the NEF - BEL) (Entered: 07/11/2018)
07/18/2018	<u>213</u>	MINUTES OF PROCEEDINGS - Motion Hearing held on 7/18/2018 before the Honorable Richard F. Boulware, II. Crtrm Administrator: <i>Blanca Lenzi</i>; Pla Counsel: <i>Lola McGee, Pro Se</i>; Def Counsel: <i>Krystal Rosse, Deputy A.G.</i>; Court Reporter: <i>Patty Ganci</i>; Time of Hearing: <i>1:10 PM - 2:04 PM</i>; Courtroom: <i>7C</i>. Pro Se Plaintiff Lola McGee is present. The Court makes preliminary statements and hears representations from counsel regarding the motions pending before the Court. For the reasons stated at the hearing, IT IS ORDERED that <u>167</u> OBJECTIONS re LR IB 3-1 or Motion for District Judge to Reconsider re <u>166</u> Order is DENIED. IT IS FURTHER ORDERED that <u>173</u> MOTION for Default Judgment Against Defendant (PMG) (USPS) for Failure to Answer Plaintiff's Amended Complaint within 14 days of Court's Order; <u>193</u> MOTION for Entry of Clerk's Default Against Defendant USPS PMG Megan J. Brennan re <u>166</u> Order; and <u>194</u> MOTION for Default Judgment Against Defendant USPS re <u>173</u> Motion for Default Judgment are DENIED as there has been no entry of default and the Court does not find a basis to enter default given that Defendants have actively participated in the litigation and the strong policy of deciding cases on their merits. IT IS FURTHER ORDERED that <u>174</u> MOTION to Stay Response to <u>170</u> Motion to Dismiss until Request for <u>173</u> Motion for Default Judgment is Adjudicated is DENIED as moot as Plaintiff responded to the motion to dismiss. IT IS FURTHER ORDERED that <u>170</u> Motion to Dismiss Section 1981 Claims re <u>8</u> Amended Complaint is GRANTED; Section 1981 claim will be and is dismissed.

		IT IS FURTHER ORDERED that <u>187</u> MOTION to Stay Case <i>re</i> <u>186</u> Minute; <u>188</u> MOTION to Amend/Correct <u>187</u> Motion to Stay Case and <u>192</u> MOTION to <i>re</i> <u>30</u> <i>PROPOSED</i> Discovery Plan/Scheduling Order are DENIED as moot as the Court imposes a new discovery schedule as set forth herein. IT IS FURTHER ORDERED that the parties are directed to submit a proposed joint discovery plan/scheduling order for this Court's consideration, due one week from this day. The parties to submit the submitted order in WORD format to the courtroom deputy. The proposed joint discovery plan/scheduling order should include a discovery period of 120 days with 8 depositions by each side. All requests for documents must be served within 30 days of this day. Responses are due 60 days from this day. Any objections to discovery must be made within that time period. IT IS FURTHER ORDERED that any previous requests for documents must be refiled within 14 days from this day. IT IS FURTHER ORDERED that any Depositions to be noticed shall be taken no earlier than 60 days from this day. IT IS FURTHER ORDERED that <u>185</u> MOTION for Summary Judgment is DENIED without prejudice to refile at the close of discovery in this case. IT IS FURTHER ORDERED that <u>191</u> MOTION/REQUEST for Filings Pertaining to <i>Joint Status Report and ENE be Put Back into CM/ECF System</i> is DENIED. IT IS FURTHER ORDERED that the parties shall communicate via email transmission. IT IS FURTHER ORDERED that Defendants shall be required to produce discovery to plaintiff by PDF. (no image attached) (Copies have been distributed pursuant to the NEF - BEL) (Entered: 07/24/2018)
07/20/2018	<u>208</u>	MOTION to Extend Time (First Request) <i>re</i> 207 Minute Order Setting Hearing on Motion, by Plaintiff Lola McGee. (McGee, Lola) (Entered: 07/20/2018)
07/23/2018	209	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II on 7/23/2018. IT IS ORDERED that the <u>208</u> Motion to Extend Time is DENIED. The Court does not find that Plaintiff has set forth an persuasive or legal basis for extending the deadlines set by the Court. (no image attached) (Copies have been distributed pursuant to the NEF - BEL) (Entered: 07/23/2018)
07/23/2018	<u>210</u>	PROPOSED Discovery Plan/Scheduling Order by Defendant Megan J. Brennan <i>Pursuant to Court Order</i> (Rosse, Krystal) (Entered: 07/23/2018)
07/24/2018	<u>211</u>	SCHEDULING ORDER <i>re</i> : <u>210</u> Proposed Discovery Plan/Scheduling Order. Discovery due by 11/15/2018. Motions due by 12/17/2018. Proposed Joint Pretrial Order due by 1/16/2019. Signed by Judge Richard F. Boulware, II on 7/24/2018. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 07/24/2018)
07/24/2018	212	NOTICE PURSUANT TO LOCAL RULE IB 2-2: In accordance with 28 USC § 636(c) and FRCP 73, the parties in this action are provided with a link to the "AO 85 Notice of Availability, Consent, and Order of Reference - Exercise of Jurisdiction by a U.S.

		Magistrate Judge" form on the Court's website - www.nvd.uscourts.gov. AO 85 Consent forms should NOT be electronically filed. Upon consent of all parties, counsel are advised to manually file the form with the Clerk's Office. (A copy of form AO 85 has been mailed to parties not receiving electronic service.) NOTICE OF GENERAL ORDER 2013-1 AND OPPORTUNITY FOR EXPEDITED TRIAL SETTING: The parties in this action are provided with a link to General Order 2013-1 and the USDC Short Trial Rules on the Court's website - www.nvd.uscourts.gov. If the parties agree that this action can be ready for trial within 180 days and that a trial of this matter would take 3 days or less, the parties should consider participation in the USDC Short Trial Program. If the parties wish to be considered for entry into the Court's Short Trial Program, they should execute and electronically file with USDC Short Trial Form 4(a)(1) or Form 4(a)(2). (no image attached) (MMM) (Entered: 07/24/2018)
07/25/2018	<u>214</u>	JUDICIAL NOTICE by Lola McGee re <u>213</u> Order on Motion for District Judge to Reconsider Order, Order on Motion to Dismiss, Order on Motion for Default Judgment, Order on Motion to Stay Case, Order on Motion for Summary Judgment, Order on Motion to Amend/Correct, Order on Motion for Entry of Clerks Default. (McGee, Lola) (Entered: 07/25/2018)
07/25/2018	<u>215</u>	MOTION for Entry of Clerk's Default Against Federal Defendants Patrick R. Donahoe and Megan J. Brennan Postmaster General (Past and Present) re <u>8</u> Complaint, <u>11</u> Exhibit by Plaintiff Lola McGee. (McGee, Lola) <u>Modified docket entry relationships on 7/26/2018 pursuant to LR IC 2-2(d) (DKJ).</u> (Entered: 07/25/2018)
07/25/2018	<u>216</u>	MOTION for Default Judgment <i>Against Federal Defendants Patrick R. Donahoe and Megan J. Brennan Postmaster General (Past and Present) for Failure to Respond to Plaintiff's Amended Complaint (ECF Nos. 8 & 11) within the 21 day required Time frame that was filed on 2/26/14 (ECF Nos. 8 & 11) and (ECF No. 18) dated 7-28-14 which is Untimely</i> re <u>22</u> Response, <u>25</u> Reply, <u>19</u> Minute Order regarding Requirements of Klingele, <u>215</u> Motion for Entry of Clerks Default, by Plaintiff Lola McGee. (McGee, Lola) (Entered: 07/25/2018)
07/28/2018	<u>217</u>	MOTION Plaintiff's Request For Transcript Hearing 7-18-18 before District Judge Richard F. Boulware, II because of plaintiff's disabilities and accuracy of court order's re <u>213</u> Order on Motion for District Judge to Reconsider Order, Order on Motion to Dismiss, Order on Motion for Default Judgment, Order on Motion to Stay Case, Order on Motion for Summary Judgment, Order on Motion to Amend/Correct, Order on Motion for Entry of Clerks Default, by Plaintiff Lola McGee. Responses due by 8/11/2018. (McGee, Lola) (Entered: 07/28/2018)
08/08/2018	<u>218</u>	RESPONSE to <u>214</u> Notice (Other), by Defendant Megan J. Brennan. (Rosse, Krystal) (Entered: 08/08/2018)
08/08/2018	<u>219</u>	RESPONSE to <u>215</u> Motion for Entry of Clerks Default, by Defendant Megan J. Brennan. Replies due by 8/15/2018. (Rosse, Krystal) (Entered: 08/08/2018)
08/15/2018	<u>220</u>	REPLY to Response to <u>215</u> Motion for Entry of Clerks Default, by Plaintiff Lola McGee. (McGee, Lola) (Entered: 08/15/2018)
08/15/2018	<u>221</u>	REQUEST for Judicial Notice re <u>210</u> Proposed Discovery Plan/Scheduling Order, <u>214</u> Notice, <u>213</u> Order, <u>218</u> Response by Plaintiff Lola McGee. (McGee, Lola) (Entered: 08/16/2018)
08/17/2018	<u>222</u>	SECOND MOTION for Transcript re <u>213</u> MINUTES OF PROCEEDINGS, by Plaintiff Lola McGee. Responses due by 8/31/2018. (McGee, Lola) Modified on 8/20/2018 to

		correct docket entry relationship (TR). (Entered: 08/17/2018)
08/25/2018	<u>225</u>	TRANSCRIPT of Proceedings, 213 Order on Motion for District Judge to Reconsider Order, Order on Motion to Dismiss, Order on Motion for Default Judgment, Order on Motion to Stay Case, Order on Motion for Summary Judgment, Order on Motion to Amend/Correct, Order on Motion for Entry of Clerks Default, Motion Hearing, held on 7/18/2018, before Judge Richard F. Boulware, II. Court Reporter: Patricia Ganci, PG@nvd.uscourts.gov. Any Redaction Request is due by 9/15/2018. Redacted Transcript Deadline is set for 9/25/2018. Release of the Transcript Restriction is set for 11/23/2018. Before release date, the transcript may be viewed at the court public terminal or purchased through the reporter. Transcript Order form is available on court website. After that date it may be obtained through the court reporter or PACER. (PG) (Entered: 09/11/2018)
09/04/2018	<u>223</u>	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II on 9/4/2018. IT IS ORDERED that Plaintiff's <u>217</u> Motion for Transcript of hearing dated Hearing 7-18-18 is GRANTED in part and DENIED in part. The Motion is granted as to the request for Transcript of hearing only. IT IS FURTHER ORDERED that the Plaintiff's <u>22</u> Motion for Transcript is Denied as moot. (no image attached) (Copies have been distributed pursuant to the NEF - BEL) (Entered: 09/04/2018)
09/08/2018	<u>224</u>	Second MOTION to Compel re <u>210</u> Proposed Discovery Plan/Scheduling Order, <u>211</u> Scheduling Order, 213 Order , <u>30</u> Proposed Discovery Plan/Scheduling Order by Plaintiff Lola McGee. Responses due by 9/22/2018. (McGee, Lola) (Entered: 09/08/2018)
09/15/2018	<u>226</u>	MOTION for Sanctions re <u>211</u> Scheduling Order, 111 Order on Motion for Sanctions re Discovery, Order on Motion to Expedite, Order on Motion to Compel, Motion Hearing, 213 Order on Motion for District Judge to Reconsider Order, Order on Motion to Dismiss, Order on Motion for Default Judgment, Order on Motion to Stay Case, Order on Motion for Summary Judgment, Order on Motion to Amend/Correct, Order on Motion for Entry of Clerks Default, Motion Hearing, <u>224</u> Motion to Compel, 207 Minute Order Setting Hearing on Motion, <u>113</u> Order, by Plaintiff Lola McGee. Responses due by 9/29/2018. (McGee, Lola) (Entered: 09/15/2018)
09/17/2018	<u>227</u>	Interim STATUS REPORT by Defendant Megan J. Brennan. (Wenthe, Roger) (Entered: 09/17/2018)
09/17/2018	<u>228</u>	STATUS REPORT <i>Plaintiff Files Her Joint Interim Status Report Separately because of Title Differences Per Opposing Counsel - Mr. Wenthe</i> by Plaintiff Lola McGee. (McGee, Lola) (Entered: 09/17/2018)
09/17/2018	<u>229</u>	STATUS REPORT <i>Plaintiff requested input from Roger Wenthe but to no avail, Plaintiff filed her Responses/Objections to Requests for Documents, and Witnesses - Rebuttal Experts & Reports in compliance with 9-17-18 date from Order (ECF Nos. 30 & 211) before Judge Boulware, II on 7/18/18</i> by Plaintiff Lola McGee. (McGee, Lola) (Entered: 09/17/2018)
09/19/2018	<u>230</u>	~~STATUS REPORT~~ Plaintiff's 1st and 2nd SET, Plaintiff's Response of Defendant's Discovery and Questions DPSO (ECF Nos. 30 and 211) to be Authenticated per Order of 7/18/18 by Plaintiff Lola McGee. (Attachments: # <u>1</u> Exhibit EX 1, # <u>2</u> Exhibit EX 2) (McGee, Lola) (Entered: 09/19/2018)

09/21/2018	<u>231</u>	MOTION to Withdraw as Attorney NOTICE , by Megan J. Brennan. (Wenthe, Roger) Modified event on 9/21/2018 (TR). (Entered: 09/21/2018)
09/21/2018	<u>232</u>	RESPONSE to <u>224</u> Motion to Compel by Defendant Megan J. Brennan. Replies due by 9/28/2018. (Attachments: # <u>1</u> Index, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D) (Wenthe, Roger) (Entered: 09/21/2018)
09/21/2018	<u>233</u>	RESPONSE to <u>226</u> Motion for Sanctions,, by Defendant Megan J. Brennan. Replies due by 9/28/2018. (Wenthe, Roger) (Entered: 09/21/2018)
09/29/2018	<u>234</u>	REPLY to Response to <u>224</u> Motion to Compel by Plaintiff Lola McGee. (McGee, Lola) (Entered: 09/29/2018)
09/29/2018	<u>235</u>	REPLY to Response to <u>226</u> Motion for Sanctions,, by Plaintiff Lola McGee. (McGee, Lola) (Entered: 09/29/2018)
11/15/2018	<u>236</u>	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge Cam Ferenbach on 11/15/2018. DISCOVERY DOCUMENTS: Unless the court orders otherwise, written discovery, including discovery requests, discovery responses, deposition notices, and deposition transcripts, must not be filed with the court. Your documents are returned herewith. See Local Rule 26-8. (Attachments: # <u>1</u> 5th Supplement to Initial Disclosures, # <u>2</u> Supplements to Initial Disclosures, # <u>3</u> 2nd Supplement to Initial Disclosures, # <u>4</u> 2nd Supplement, continued)(Copies have been distributed pursuant to the NEF - MMM) (Entered: 11/15/2018)
11/25/2018	<u>237</u>	NOTICE : Plaintiff's Change of Address dated 11-25-18, filed by Lola McGee. (McGee, Lola) (Entered: 11/25/2018)
11/26/2018	<u>238</u>	CLERK'S NOTICE Regarding Local Rule IC 2-1(g). Filer's account information is different from the address information contained in the filed document, ECF No. <u>237</u> . Pro Se Filer Lola McGee is advised to review and update his/her user account information. (no image attached) (TR) (Entered: 11/26/2018)
12/13/2018	<u>239</u>	MOTION for Summary Judgment by Defendant Megan J. Brennan. Responses due by 1/3/2019. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B) (Wenthe, Roger) (Entered: 12/13/2018)
12/14/2018	<u>240</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Richard F. Boulware, II on 12/14/2018. Regarding the Requirements of <i>Klingele v. Eikenberry</i> and <i>Rand v. Rowland</i> as to <u>239</u> Motion for Summary Judgment. Opposition due 21 days from the date of this Minute Order, and reply due 14 days after the filing of the opposition. (Copies have been distributed pursuant to the NEF - TR) (Entered: 12/14/2018)
12/15/2018	<u>241</u>	MOTION for Sanctions <i>Plaintiff 3rd Motion RE: Discovery and Sanctions against the Court and Defendant/USPS Megan J. Brennan starting with ECF No. 18 being untimely filed re <u>22</u> Response, 182 Minute Order,, <u>211</u> Scheduling Order, <u>166</u> Order, 213 Order on Motion for District Judge to Reconsider Order,,,,,,,,,,,,, Order on Motion to Dismiss,,,,,,,,,,,,, Order on Motion for Default Judgment,,,,,,,,,,,,, Order on Motion to Stay Case,,,,,,,,,,,,, Order on Motion for Summary Judgment,,,,,,,,,,,,, Order on Motion to Amend/Correct,,,,,,,,,,,,, Order on Motion for Entry of Clerks Default,,,,,,,,,,,,, Motion Hearing,,,,,,,,,,,,, Terminate Deadlines/Hearings,,,,,,,,,,,,, 57 Order on Motion,,,,,,,,,,,,, Order on Motion to Expedite,,,,,,,,,,,,, Order on Motion to Dismiss,,,,,,,,,,,,, Motion Hearing,,,,,,,,,,,,, Terminate Deadlines/Hearings,,,,,,,,,,,,, Set/Reset Deadlines & Hearings,,,,,,,,,,,,, 144 Order on Motion to Strike,,,,,, Motion Hearing,,,,,, Terminate Deadlines/Hearings,,,,,, <u>181</u> Notice (Other), <u>231</u> Motion to Withdraw as Attorney, <u>30</u> Proposed Discovery Plan/Scheduling Order by Plaintiff Lola McGee. Responses due by 12/29/2018. (McGee, Lola) (Entered: 12/15/2018)</i>

12/18/2018	<u>242</u>	MOTION to Extend Time (First Request) re <u>241</u> Motion for Sanctions,,,, by Defendant Megan J. Brennan. (Wenthe, Roger) (Entered: 12/18/2018)
12/23/2018	<u>243</u>	RESPONSE to ~~<u>231</u> Motion to Withdraw as Attorney~~ <u>242</u> Motion to Extend/Shorten Time by Plaintiff Lola McGee. Replies due by 12/30/2018. (McGee, Lola) Modified on 12/26/2018 to relate to <u>242</u> only (TR). (Entered: 12/23/2018)
12/28/2018	<u>244</u>	MOTION to Stay Case by Defendant Megan J. Brennan. (Wenthe, Roger) (Entered: 12/28/2018)
01/01/2019	<u>245</u>	RESPONSE to <u>239</u> Motion for Summary Judgment by Plaintiff Lola McGee. Replies due by 1/15/2019. (McGee, Lola) (Entered: 01/01/2019)
01/02/2019	<u>246</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Richard F. Boulware, II on 1/2/2019. IT IS ORDERED that Defendant Megan J. Brennan's Motion to Stay Case <u>244</u> is GRANTED. This matter is stayed until funding for the Department of Justice is restored. Once funding has been restored, Defendant Brennan shall move to lift the stay within seven days. (no image attached) (Copies have been distributed pursuant to the NEF - DLM) (Entered: 01/02/2019)
01/28/2019	<u>247</u>	MOTION to Lift Stay of Case by Defendant Megan J. Brennan. (Wenthe, Roger) (Entered: 01/28/2019)
01/29/2019	<u>248</u>	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II on 1/29/2019. IT IS ORDERED that the <u>247</u> Motion to Lift Stay and Reset Schedule is GRANTED. The United States shall have until February 4, 2019 to file a response to Plaintiff's <u>241</u> 3rd Motion for Discovery Sanctions and until February 5, 2019 to file a reply brief in support of its <u>239</u> Motion for Summary Judgment. In light of the instant minute order, the Court denies Defendant's <u>242</u> Motion to Extend as moot. (no image attached) (Copies have been distributed pursuant to the NEF - BEL) (Entered: 01/29/2019)
01/29/2019	<u>249</u>	RESPONSE to <u>241</u> Motion for Sanctions,,,, by Defendant Megan J. Brennan. Replies due by 2/5/2019. (Wenthe, Roger) (Entered: 01/29/2019)
01/29/2019	<u>250</u>	REPLY to Response to <u>239</u> Motion for Summary Judgment by Defendant Megan J. Brennan. (Wenthe, Roger) (Entered: 01/29/2019)
03/31/2019	<u>251</u>	ORDER Denying Plaintiff Lola McGee's <u>215</u> Motion for Entry of Clerk's Default and <u>216</u> Motion for Default Judgment. Signed by Judge Richard F. Boulware, II on 3/31/2019. (Copies have been distributed pursuant to the NEF - BEL) (Entered: 03/31/2019)
05/30/2019	<u>252</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Richard F. Boulware, II on 5/30/2019. A hearing is set for July 18, 2019 at 1:00 P.M., Re: <u>224</u> Second MOTION to Compel re <u>210</u> Proposed Discovery Plan/Scheduling Order, <u>211</u> Scheduling Order, <u>213</u> Order, <u>30</u> Proposed Discovery Plan/Scheduling Order; <u>226</u> MOTION for Sanctions re <u>211</u> Scheduling Order, <u>111</u> Order on Motion for Sanctions re Discovery, Order on Motion to Expedite, Order on Motion to Compel, Motion Hearing <u>213</u> Order on Motion for District Judge to Reconsider Order, Order on Motion;

		<u>231</u> MOTION to Withdraw as Attorney; <u>239</u> MOTION for Summary; and <u>241</u> MOTION for Sanctions Plaintiff 3rd Motion RE: Discovery and Sanctions against the Court and Defendant/USPS Megan J. Brennan starting with ECF No. 18 being untimely filed re <u>22</u> Response, 182 Minute Order <u>211</u> Scheduling Order, in LV Courtroom 7C before Judge Richard F. Boulware II. Counsel for the parties are ordered to appear at this hearing. Failure to appear at the scheduled hearing time may result in the imposition of sanctions, including but not limited to monetary sanctions, granting of the opposing party's motion or case-dispositive sanctions. Each party shall have three days to notify the Courtroom Administrator by email at blanca_lenzi@nvd.uscourts.gov if unable to attend and propose an alternative hearing time after consulting with opposing counsel. (Copies have been distributed pursuant to the NEF - CVL) (Entered: 05/30/2019)
06/07/2019	<u>253</u>	MOTION for Leave to Appear Telephonically re 252 Minute Order, by Plaintiff Lola McGee. (McGee, Lola) (Entered: 06/07/2019)
06/14/2019	254	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II on 6/14/2019. IT IS ORDERED that Plaintiff's <u>253</u> Motion for Leave to Appear Telephonically at the hearing set for July 18, 2019 at 1:00 PM is GRANTED. IT IS FURTHER ORDERED Plaintiff Lola McGee shall join the hearing telephonically by dialing telephone no.: (877) 336-1829: Access Code: 3616356 five (5) minutes prior to the hearing. Please remain on the line until such a time as the Court joins the call and convenes the proceedings. (no image attached) (Copies have been distributed pursuant to the NEF - BEL) Corrected Telephone no. on 6/17/2019 (BEL). (Entered: 06/14/2019)
07/18/2019	255	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II on 7/18/2019. Due to a conflict with the Court's schedule, IT IS ORDERED that the hearing set for July 18, 2019 is RESET in time ONLY to 1:30 PM in LV Courtroom 7C before Judge Richard F. Boulware, II. The hearing will address: <u>224</u> Second MOTION to Compel re: <u>210</u> Proposed Discovery Plan/Scheduling Order, <u>211</u> Scheduling Order, <u>213</u> Order, <u>30</u> Proposed Discovery Plan/Scheduling Order; <u>226</u> MOTION to Compel re <u>211</u> Scheduling Order; <u>231</u> MOTION to Withdraw as Attorney; <u>239</u> MOTION for Summary Judgment, <u>241</u> MOTION for Sanctions. (no image attached) (Copies have been distributed pursuant to the NEF - BEL) (Entered: 07/18/2019)
07/18/2019	256	MINUTES OF PROCEEDINGS - Motion Hearing held on 7/18/2019 before the Honorable Richard F. Boulware, II. Crtrm Administrator: Blanca Lenzi; Pla Counsel: Lola McGree - Pro Se; Def Counsel: ROger Wenthe, Brianna Smith; Court Reporter: Patty Ganci; Time of Hearing: 1:58 PM - 2:10 PM; Courtroom: 7C.

		Pro Se Plaintiff is present appearing telephonically. The Court makes preliminary statements. For the reasons stated on the record, the Court takes the pending motions under submission and will issue a written order. (no image attached) (Copies have been distributed pursuant to the NEF - BEL) (Entered: 07/22/2019)
09/23/2019	<u>257</u>	ORDER that Plaintiff's <u>224</u> Second Motion to Compel, <u>226</u> Motion for Sanctions re Scheduling Order and <u>241</u> Motion for Sanctions re Discovery are DENIED. Defendants' <u>231</u> Motion to Withdraw as Attorney and <u>239</u> Motion for Summary Judgment are GRANTED. The Clerk of the Court is instructed to enter judgment in favor of Defendants and close the case. Signed by Judge Richard F. Boulware, II on 9/23/2019. (Copies have been distributed pursuant to the NEF - SLD) (Entered: 09/23/2019)
09/23/2019	<u>258</u>	JUDGMENT in favor of Defendant Megan J. Brennan and against Plaintiff Lola McGee. Signed by Clerk of Court Debra K. Kempf on 9/23/2019. (Copies have been distributed pursuant to the NEF - SLD) (Entered: 09/23/2019)
10/16/2019	<u>259</u>	ERROR: Incorrect event selected by filer. Filer advised to refile correctly. Document <u>259</u> terminated. ~~MOTION for Leave to Proceed In Forma Pauperis on Appeal by Plaintiff Lola McGee. (E-mail notice (NEF) sent to the US Court of Appeals, Ninth Circuit.) (McGee, Lola)~~ (Entered: 10/16/2019)
10/17/2019	<u>264</u>	USCA ORDER for Time Schedule as to <u>262</u> Notice of Appeal filed by Lola McGee. USCA Case Number 19-17056 . (Copies have been distributed pursuant to the NEF - ADR) (Entered: 10/25/2019)
10/18/2019	<u>260</u>	NOTICE of Appearance by attorney Brian W. Irvin on behalf of Defendant Megan J. Brennan. (Irvin, Brian) (Entered: 10/18/2019)
10/18/2019	<u>261</u>	CLERK'S NOTICE. Pro se Filer Action Required to ECF No. <u>259</u> . Document was not filed pursuant to LR IC 2-2(c). The wrong event was selected. The title of the docket entry does not match the title of the document. Filer is advised to refile ECF No. <u>259</u> using the appropriate docket entry title "Notice of Appeal" event, located under the "Judgment/Post-Judgment and Appeal" category. Document <u>259</u> terminated. (no image attached) (DKJ) (Entered: 10/18/2019)
10/18/2019	<u>262</u>	NOTICE OF APPEAL as to 6 Miscellaneous Hearing,, by Plaintiff Lola McGee. E-mail notice (NEF) sent to the US Court of Appeals, Ninth Circuit. (McGee, Lola) (Entered: 10/18/2019)
10/19/2019	<u>263</u>	NOTICE OF APPEAL as to <u>258</u> Judgment, 6 Miscellaneous Hearing,, by Plaintiff Lola McGee. E-mail notice (NEF) sent to the US Court of Appeals, Ninth Circuit. (McGee, Lola) (Entered: 10/19/2019)
11/15/2019	<u>265</u>	~~MOTION NOTICE~~ /Request for All Transcripts and Minutes in Case, by Lola McGee. (McGee, Lola) <u>Modified on 11/15/2019 to reflect correct event</u> (MMM). (Entered: 11/15/2019)
11/22/2019	<u>266</u>	ORDER Granting in part and Denying in part <u>265</u> Motion for All Transcripts and Minutes in Case. Signed by Judge Richard F. Boulware, II on 11/22/2019. (Copies have been distributed pursuant to the NEF - cc: Court Reporter - MR) (Entered: 11/22/2019)
12/19/2019	<u>267</u>	TRANSCRIPT of Proceedings, 6 Miscellaneous Hearing, held on 9/12/2013, before Magistrate Judge Cam Ferenbach. Court Reporter/Transcriber: Patricia Ganci, PG@nvd.uscourts.gov. Any Redaction Request is due by 1/9/2020. Redacted Transcript Deadline is set for 1/19/2020. Release of the Transcript Restriction is set for 3/18/2020.

		Before release date, the transcript may be viewed at the court public terminal or purchased through the reporter/transcriber. Transcript Order form is available on court website. After that date it may be obtained through the court reporter or PACER. (PG) (Entered: 12/19/2019)
12/19/2019	<u>268</u>	TRANSCRIPT of Proceedings, 128 Miscellaneous Hearing, held on 7/1/2016, before Magistrate Judge Cam Ferenbach. Court Reporter/Transcriber: Patricia Ganci, PG@nvd.uscourts.gov. Any Redaction Request is due by 1/9/2020. Redacted Transcript Deadline is set for 1/19/2020. Release of the Transcript Restriction is set for 3/18/2020. Before release date, the transcript may be viewed at the court public terminal or purchased through the reporter/transcriber. Transcript Order form is available on court website. After that date it may be obtained through the court reporter or PACER. (PG) (Entered: 12/19/2019)
12/19/2019	<u>269</u>	TRANSCRIPT of Proceedings, 256 Motion Hearing, held on 7/18/2019, before Judge Richard F. Boulware, II. Court Reporter: Patricia Ganci, PG@nvd.uscourts.gov. Any Redaction Request is due by 1/9/2020. Redacted Transcript Deadline is set for 1/19/2020. Release of the Transcript Restriction is set for 3/18/2020. Before release date, the transcript may be viewed at the court public terminal or purchased through the reporter. Transcript Order form is available on court website. After that date it may be obtained through the court reporter or PACER. (PG) (Entered: 12/19/2019)
09/15/2020	<u>270</u>	MEMORANDUM of USCA, Ninth Circuit, as to <u>263</u> Notice of Appeal filed by Lola McGee. District Court AFFIRMED. (Copies have been distributed pursuant to the NEF - DRS) (Entered: 09/15/2020)
11/08/2020	<u>271</u>	MOTION for all Physical and Sealed Supporting Documentation, by Plaintiff Lola McGee. Responses due by 11/22/2020. (JQC) (Entered: 11/10/2020)
12/01/2020	<u>272</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Richard F. Boulware, II on 12/1/2020. IT IS ORDERED that <u>271</u> Plaintiffs Motion for all Physical and Sealed Records is DENIED. The Court does not find a basis to consider or grant this motion. The Clerk of the Court is instructed to close this case. (Copies have been distributed pursuant to the NEF - CVL) (Entered: 12/01/2020)
12/14/2020	<u>273</u>	ORDER of USCA, Ninth Circuit, as to <u>263</u> Notice of Appeal filed by Lola McGee. (Copies have been distributed pursuant to the NEF - JQC) (Entered: 12/18/2020)
12/22/2020	<u>274</u>	MANDATE of USCA, Ninth Circuit, as to <u>270</u> USCA Memorandum/Opinion re <u>263</u> Notice of Appeal filed by Lola McGee. (Copies have been distributed pursuant to the NEF - JQC) (Entered: 12/30/2020)
01/04/2021	<u>276</u>	ORDER on Mandate as to, <u>274</u> USCA Mandate, as to <u>270</u> USCA Memorandum, AFFIRMING the judgment of the District Court, <u>263</u> Notice of Appeal filed by Lola McGee. Signed by Judge Richard F. Boulware, II on 1/4/2021. (Copies have been distributed pursuant to the NEF - JQC) (Entered: 01/05/2021)
12/20/2021	<u>277</u>	MOTION to Reopen Case re <u>258</u> Judgment, <u>257</u> Order on Motion for Sanctions, Order on Motion to Withdraw as Attorney, Order on Motion for Summary Judgment, Order on Motion to Compel, by Plaintiff Lola McGee. Responses due by 1/3/2022. (Attachments: # <u>1</u> Exhibit EX 1) (McGee, Lola) (Entered: 12/20/2021)
02/20/2022	<u>278</u>	SECOND MOTION to Reopen Case re <u>257</u> , <u>258</u> Judgment, <u>277</u> Motion to Reopen Case, <u>211</u> Scheduling Order, <u>100</u> Order, Set/Reset Motion and R&R Deadlines/Hearings, <u>8</u> Amended Complaint, <u>25</u> Reply, <u>65</u> Reply, <u>147</u> Reply, <u>229</u> Status Report, <u>213</u> Minutes of

		Proceedings, <u>164</u> Minute Order Setting Hearing on Motion, <u>195</u> Response, <u>177</u> Response, <u>234</u> Reply, <u>235</u> Reply, <u>113</u> Order, <u>142</u> Minute Order Setting Hearing on Motion, <u>9</u> ENE Notice, <u>228</u> Status Report, <u>30</u> Proposed Discovery Plan/Scheduling Order, <u>257</u> Order, <u>183</u> Reply, <u>210</u> Proposed Discovery Plan/Scheduling Order, <u>31</u> Minute Order, <u>11</u> Exhibit, <u>39</u> Notice (Other), <u>205</u> Reply, <u>111</u> Minutes of Proceedings, <u>97</u> Reply, <u>166</u> Order, <u>139</u> Response, <u>203</u> Reply, <u>107</u> Minute Order regarding Requirements of Klingele, <u>168</u> Exhibit, <u>136</u> Response, <u>144</u> Order, <u>207</u> Minute Order Setting Hearing on Motion, <u>165</u> Order, <u>146</u> Response, <u>181</u> Notice (Other) by Plaintiff Lola McGee. Responses due by 3/6/2022. (Attachments: # <u>1</u> Exhibit New Supporting Evidence Of Incapacitation - Full Nervous Breakdown From Threats) (McGee, Lola) Modified on 2/22/2022 (SLD). (Entered: 02/20/2022)
05/18/2022	<u>279</u>	Third MOTION to Reopen Case re <u>258</u> Judgment, <u>277</u> Motion to Reopen Case, <u>278</u> Motion to Reopen Case, <u>257</u> Order, by Plaintiff Lola McGee. Responses due by 6/1/2022. (McGee, Lola) (Entered: 05/18/2022)
08/12/2022	<u>280</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Richard F. Boulware, II on 8/12/2022. Because a motion to reopen the case is procedurally improper, the Court evaluates <u>277</u> , <u>278</u> , and <u>279</u> Motions to Reopen Case under the standard for Fed. R. Civ. P. 60. Plaintiff's motions do not provide good cause for consideration under Rule 60, as Plaintiff submits no evidence that was not already considered as part of the record or in <u>257</u> Order, nor does she make a colorable claim that there has been a manifest error of law or injustice, nor evidence of fraud of any kind. Further, Rule 60 requires that such a motion be made within a reasonable time, no more than a year after the entry of the judgment or order or the date of the proceeding. The Order was issued on September 23, 2019. See ECF No. 257. Further, Plaintiffs appeal of the order was denied on December 14, 2020, over a year before Plaintiff filed <u>277</u> the first motion on December 20, 2021. As a result, this motion is also untimely. Accordingly, IT IS THEREFORE ORDERED that <u>277</u> , <u>278</u> , and <u>279</u> Motions to Reopen Case are DENIED. (Copies have been distributed pursuant to the NEF - CVL) (Entered: 08/12/2022)
08/16/2022	<u>281</u>	NOTICE of Appearance by attorney Blaine T Welsh on behalf of Defendant Louis DeJoy. (Welsh, Blaine) (Entered: 08/16/2022)
09/03/2022	<u>282</u>	Fourth MOTION to Reopen Case re <u>258</u> Judgment, <u>257</u> Order on Motion for Sanctions,, Order on Motion to Withdraw as Attorney,, Order on Motion for Summary Judgment,,, Order on Motion to Compel,,, <u>272</u> Order on Motion,, Minute Order, <u>280</u> Order on Motion to Reopen Case,,,,,,,,,,,,, Minute Order,,, by Plaintiff Lola McGee. Responses due by 9/17/2022. (Attachments: # <u>1</u> Exhibit New and Old medical documents, # <u>2</u> Exhibit EX 1 Continue, # <u>3</u> Exhibit EX 1 Continue, # <u>4</u> Exhibit EX 2 Cover sheet, # <u>5</u> Exhibit EX 2 Continue, # <u>6</u> Exhibit EX 2 Continue, # <u>7</u> Exhibit EX 2 Continue, # <u>8</u> Exhibit EX 2 Continue, # <u>9</u> Exhibit EX 2 Continue, # <u>10</u> Exhibit EX 2 Continue, # <u>11</u> Exhibit EX 2 Continue)(McGee, Lola) (Entered: 09/03/2022)
09/19/2022	<u>283</u>	RESPONSE to <u>282</u> Motion to Reopen Case,, by Defendant Louis DeJoy. Replies due by 9/26/2022. (Welsh, Blaine) (Entered: 09/19/2022)
09/26/2022	<u>284</u>	SUPPLEMENT to <u>282</u> Fourth MOTION to Reopen Case, by Plaintiff Lola McGee. Responses due by 10/10/2022. (JQC) Modified text and document event on 9/27/2022 (SLD). (Entered: 09/27/2022)

12/21/2022	<u>285</u>	NOTICE OF APPEAL as to 280 Order on Motion to Reopen Case,,,,,,,,,,,,, Minute Order,,, by Plaintiff Lola McGee. E-mail notice (NEF) sent to the US Court of Appeals, Ninth Circuit. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit) (McGee, Lola) (Entered: 12/21/2022)
12/22/2022	<u>286</u>	MINUTE ORDER IN CHAMBERS of the Honorable Richard F. Boulware, II on 12/22/2022. Before the Court is <u>282</u> Plaintiff's Fourth Motion to Reopen. Because a motion to reopen the case is procedurally improper, the Court construes the motion as one brought under Fed. R. Civ. P. 60. The Court's 280 prior ruling denied Plaintiff's three earlier motions because Plaintiff did not show good cause under Rule 60 and the motions were untimely. Plaintiff has filed <u>285</u> a notice of appeal of the Court's prior ruling. Plaintiff's Fourth Motion, like her three previous motions, does not establish good cause under Rule 60. It only includes evidence already considered as part of the Record or referenced in <u>257</u> the Court's decision on the merits. It does not contain a colorable claim of fraud. It also does not contain a colorable claim that the Court should grant the motion to avoid a manifest error of law. <u>See Navajo Nation v. Dep't of the Interior</u>, 876 F.3d 1144, 1173 (9th Cir. 2017). As Plaintiff's Fourth Motion was filed after her three untimely motions it too is untimely. Accordingly, IT IS SO ORDERED that <u>282</u> Plaintiff's Fourth Motion to Reopen is DENIED. (no image attached) (Copies have been distributed pursuant to the NEF - BEL) (Entered: 12/22/2022)
12/23/2022	<u>287</u>	USCA ORDER for Time Schedule as to <u>285</u> Notice of Appeal, filed by Lola McGee. USCA Case Number 22-16985 . (Copies have been distributed pursuant to the NEF - KF) (Entered: 12/27/2022)
01/24/2023	<u>288</u>	ORDER of USCA, Ninth Circuit, as to <u>285</u> Notice of Appeal, filed by Lola McGee. This appeal is dismissed for lack of jurisdiction. DISMISSED. (Copies have been distributed pursuant to the NEF - KF) (Entered: 01/25/2023)
03/20/2023	<u>289</u>	MANDATE of USCA, Ninth Circuit, as to <u>288</u> USCA Order re <u>285</u> Notice of Appeal, filed by Lola McGee. DISMISSED. (Copies have been distributed pursuant to the NEF - KF) Modified on 7/27/2023 - Recalled - refer to ECF No. <u>290</u> (CJS). (Entered: 03/20/2023)
07/24/2023	<u>290</u>	ORDER of USCA, Ninth Circuit, as to <u>289</u> Mandate re <u>285</u> Notice of Appeal, filed by Lola McGee. The mandate issued on March 20, 2023 is recalled as issued in error. (Copies have been distributed pursuant to the NEF - JQC) Modified on 7/27/2023 (JQC). (Entered: 07/26/2023)
07/28/2023	<u>291</u>	ORDER of USCA, Ninth Circuit, as to <u>285</u> Notice of Appeal, filed by Lola McGee. (Copies have been distributed pursuant to the NEF - JQC) (Entered: 08/08/2023)
08/07/2023	<u>292</u>	MANDATE of USCA, Ninth Circuit, as to <u>288</u> USCA Order, DISMISSING re <u>285</u> Notice of Appeal, filed by Lola McGee. (Copies have been distributed pursuant to the NEF - JQC) (Entered: 08/08/2023)
02/17/2024	<u>293</u>	MOTION to Reopen Case re <u>22</u> Response, <u>211</u> Scheduling Order, <u>8</u> Amended Complaint, <u>25</u> Reply, <u>147</u> Reply, <u>65</u> Reply, 3 Minute Order,,, <u>214</u> Notice (Other), 213 Order on Motion for District Judge to Reconsider Order,,,,,,,,,,,,, Order on Motion to

		Dismiss,,,,,,,,,,,,, Order on Motion for Default Judgment,,,,,,,,,,,,, Order on Motion to Stay Case,,,,,,,,,,,,, Order on Motion for Summary Judgment,,,,,,,,,,,,, Order on Motion to Amend/Correct,,,,,,,,,,,,, Order on Motion for Entry of Clerks Default,,,,,,,,,,,,, Motion Hearing,,,,,,,,,,,,, Terminate Deadlines/Hearings,,,,,,,,,,,,, <u>245</u> Response, <u>164</u> Minute Order Setting Hearing on Motion,,, <u>221</u> Request for Judicial Notice, <u>234</u> Reply, <u>235</u> Reply, <u>228</u> Status Report, <u>30</u> Proposed Discovery Plan/Scheduling Order, <u>210</u> Proposed Discovery Plan/Scheduling Order, <u>31</u> Minute Order,, Set/Reset Hearings, <u>11</u> Exhibit, <u>283</u> Response, <u>39</u> Notice (Other), <u>205</u> Reply, Assign Judges in Civil Case, <u>20</u> Order, <u>166</u> Order, <u>280</u> Order on Motion to Reopen Case,,,,,,,,,,,,, Minute Order,,,,, <u>286</u> Order on Motion to Reopen Case,,,,,, Minute Order,,,,,, Terminate Deadlines/Hearings,,,,,, <u>139</u> Response, <u>206</u> Notice (Other), <u>203</u> Reply, <u>136</u> Response, <u>64</u> Response, <u>220</u> Reply, <u>181</u> Notice (Other), <u>146</u> Response by Plaintiff Lola McGee. Responses due by 3/2/2024. (McGee, Lola) (Entered: 02/17/2024)
02/28/2024		Attorney update in case: Attorney Brian W. Irvin and Roger Wayne Wenthe withdrawn from the case. (Welsh, Blaine) (Entered: 02/28/2024)
03/04/2024	<u>294</u>	NOTICE of Appearance by attorney Reem Blaik on behalf of Defendant Louis DeJoy. (Blaik, Reem) (Entered: 03/04/2024)
03/04/2024	<u>295</u>	RESPONSE to <u>293</u> Motion to Reopen Case,,,,, by Defendant Louis DeJoy. Replies due by 3/11/2024. (Blaik, Reem) (Entered: 03/04/2024)
06/09/2024	<u>296</u>	Second MOTION to Reopen Case re <u>293</u> Motion to Reopen Case,,,,, by Plaintiff Lola McGee. Responses due by 6/23/2024. (Attachments: # <u>1</u> Exhibit Rosemary Declaration - More)(McGee, Lola) (Entered: 06/09/2024)
06/21/2024	<u>297</u>	RESPONSE to <u>296</u> Motion to Reopen Case by Defendant Louis DeJoy. Replies due by 6/28/2024. (Blaik, Reem) (Entered: 06/21/2024)
07/09/2024	<u>298</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Richard F. Boulware, II on 7/9/2024. Before the Court are the <u>293</u> and <u>296</u> Motions to Reopen Case. As the Court has now twice explained, because a motion to reopen is procedurally improper, the Court will consider the <u>293</u> and <u>296</u> motions under the standard for Federal Rule of Civil Procedure 60. First, the Court considers the motions under the Rule 60 standard. Rule 60(b) entitles the moving party to relief from judgment on several grounds, including the catch-all category "any other reason justifying relief from the operation of the judgment." Fed. R. Civ. P. 60(b)(6). A motion under subsections (b)(4)-(6) must be brought "within a reasonable time." Fed. R. Civ. P. 60(c)(1). A Rule 60 motion based on mistake, inadvertence, surprise, excusable neglect, newly discovered evidence, or fraud must be brought no more than a year after entry of the judgement. Fed. R. Civ. P. 60(c)(1). To seek relief under Rule 60(b)(6), a moving party must show "extraordinary circumstances justifying the reopening of a final judgment." <u>Jones v. Ryan</u>, 733 F.3d 825, 833 (9th Cir. 2013), quoting <u>Gonzalez v. Crosby</u>, 545 U.S. 524, 535 (2005). The Court finds that Plaintiff has again provided substantively the same evidence as in her prior four motions. As before, substantively the same evidence was considered as part of the record and in the Court's <u>257</u> Order. Plaintiff does not make a colorable claim that there has been a manifest error of law or injustice, nor evidence of fraud of any kind. Additionally, the Court finds that Plaintiff has not brought her fifth and sixth motions within a reasonable time. The underlying Order was issued on September 23, 2019. <u>See</u> ECF No. 257. Further, Plaintiffs appeal of the order was denied on December 14, 2020, over a year before Plaintiff filed <u>277</u> the first motion on December 20, 2021, and nearly

		five years before this Order. As the Court has previously found, Plaintiff has not acted within a reasonable time. Therefore, the Court finds that relief under Rule 60 is unavailable. Next, the Court considers whether Plaintiff has engaged in abusive motions practice. "[T]he equity power of a court to give injunctive relief against vexatious litigation is an ancient one which has been codified in the All Writs Statute, 28 U.S.C. § 1651(a)" <u>Moy v. United States</u>, 906 F.2d 467, 469 (9th Cir. 1990) (quoting <u>In re Hartford Textile Corp.</u>, 681 F.2d 895, 897 (2d Cir. 1982)). The Court finds that Plaintiffs six motions to reopen are both numerous and patently without merit as this Court has twice informed plaintiff. <u>See id.</u> at 470 (citing <u>In re Oliver</u>, 682 F.3d 443, 446 (3d Cir. 1982)). Further, each of these six motions has required considered responses from defense counsel, rulings by this Court, and consideration by the United States Court of Appeals for the Ninth Circuit. Finally, this matter concluded with finality three years ago and the interest of finality and preservation of judicial resources dictates that litigation in this matter should end. Taken together, the Court finds it appropriate to prevent yet more frivolous filings in this case. For the foregoing reason, IT IS HEREBY ORDERED that the <u>293</u> Motion to Reopen and the <u>296</u> Motion to Reopen are DENIED. IT IS FURTHER ORDERED that the Clerk of Court is instructed to accept no further filings from Plaintiff in this closed case. (Copies have been distributed pursuant to the NEF - BCV) (Entered: 07/09/2024)
08/12/2024	<u>299</u>	NOTICE OF APPEAL as to 298 Minute Order on Motion to Reopen Case by Plaintiff Lola McGee. E-mail notice (NEF) sent to the US Court of Appeals, Ninth Circuit. Designation of Transcripts and Transcript Order forms and instructions for appeal can be found on the Court's website at www.nvd.uscourts.gov. (MAM) (Entered: 08/13/2024)
08/21/2024	300	USCA, Ninth Circuit Appellate Case Number 24-5120 assigned to <u>299</u> Notice of Appeal. (CAH) (Entered: 08/22/2024)
08/21/2024	<u>301</u>	USCA ORDER for Time Schedule as to <u>299</u> Notice of Appeal, filed by Lola McGee. USCA Case Number 24-5120 . (Copies have been distributed pursuant to the NEF - CAH) (Entered: 08/22/2024)
08/22/2024	<u>302</u>	REFERRAL NOTICE of USCA, Ninth Circuit, as to <u>299</u> Notice of Appeal, filed by Lola McGee. This matter is referred to USDC for the limited purpose of determining whether IFP status should continue for this appeal or whether the appeal is frivolous or taken in bad faith. If USDC elects to revoke IFP status, the USDC is requested to notify the USCA and the parties of such determination within 21 days of the date of this referral. This referral shall not affect the briefing schedule previously established by this court. USCA Case No. 24-5120 . (Copies have been distributed pursuant to the NEF - CAH) (Entered: 08/26/2024)
02/19/2026	<u>303</u>	MEMORANDUM of USCA, Ninth Circuit, Affirming Judgment of the US District Court as to as to <u>299</u> Notice of Appeal, filed by Lola McGee. (Copies have been distributed pursuant to the NEF - JG) (Entered: 02/25/2026)
04/13/2026	<u>304</u>	MANDATE of USCA, Ninth Circuit, as to <u>303</u> USCA Memorandum/Opinion re judgment of the USDC as to <u>299</u> Notice of Appeal, filed by Lola McGee. (Copies have been distributed pursuant to the NEF - JG) (Entered: 04/27/2026)

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