

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

FILED
04 AUG 11 PM 4:07
U.S. DISTRICT COURT
N.D. OF ALABAMA
AUG 11 2004

EQUAL EMPLOYMENT)
OPPORTUNITY COMMISSION,)

Plaintiff,)

SAMATHA ROBICHAUD,)

Intervenor,)

vs.)

RPH MANAGEMENT, INC.,)
d/b/a McDonald's, an Alabama)
Corporation,)
Defendant.)

Civil Action No. CV-03-RRA-502-W

ORDER

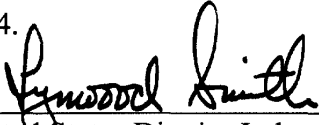
This action is before the court on defendant's motion to dismiss (doc. no. 3). A report and recommendation was filed on April 28, 2004 (doc. no. 53), and plaintiff filed its objection on May 12, 2004 (doc. no. 55). After careful consideration of the record in this case and the magistrate judge's findings and recommendation, the court hereby ADOPTS the findings of the magistrate judge. The court ACCEPTS the recommendation of the magistrate judge, and it is therefore ORDERED that the action by plaintiff, Equal Employment Opportunity Commission, be dismissed with prejudice based on its failure to conciliate in good faith.

The case is hereby returned to Magistrate Judge Robert R. Armstrong for

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further proceedings.

DONE this 11th day of August, 2004.



United States District Judge