

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 01-7089-CIV-LENARD/MCALILEY

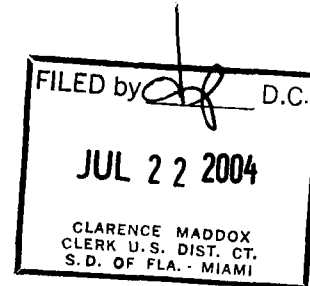
BETH FORRY,

Plaintiff,

vs.

**FEDERATED FINANCIAL
SERVICES, INC.,**

Defendant.



**UNITED STATES EQUAL
EMPLOYMENT OPPORTUNITY
COMMISSION,**

Plaintiff

**SARAH HOFFMAN, TAREN BUSICK,
LYNDA FLEEK and BRANDY
WILCOX,**

Plaintiff-Intervenors

vs.

**FEDERATED FINANCIAL
SERVICES, INC.,**

Defendant.

ORDER DENYING PENDING MOTIONS AS MOOT

THIS CAUSE is before the Court on the Joint Notice of Settlement (D.E. 246), filed

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by EEOC and Plaintiff-Intervenors on July 2, 2004.¹ The EEOC and Plaintiff-Intervenors have stated that they expect to file a proposed Consent Decree for approval by the Court within thirty (30) days of the Notice. (Notice at 2.) In light of this settlement, the Court hereby denies as moot Defendants Motion to Dismiss and for Sanctions² (D.E. 134), filed on February 4, 2004, and Defendant's Motion to Dismiss Plaintiff/Intervenor Wendi Newman³ (D.E. 143), filed on February 18, 2004. Accordingly it is

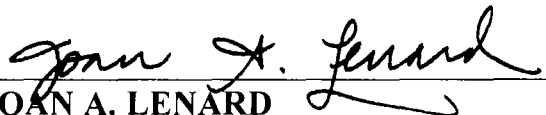
ORDERED and ADJUDGED that Defendant's Motion to Dismiss and for Sanctions (D.E. 134), filed on February 4, 2004, and Defendant's Motion to Dismiss Plaintiff/Intervenor Wendi Newman (D.E. 143), filed on February 18, 2004, are **DENIED AS MOOT**.

¹ The Joint Notice makes clear that Plaintiff Beth Forry has not joined in the settlement. (Joint Notice at 1 n. 1.)

² In footnote 1 of this Motion, Defendant states that the Motion is not filed against the only remaining Plaintiff in this case, Beth Forry. (Mot. to Dismiss and for Sanctions at 1 n. 1.)

³ There seems to be some dispute, revealed in this Motion, Response and Reply, as to whether Wendi Newman was ever a Plaintiff/Intervenor in this case. What is clear is that the Notice of Settlement informs the Court that the only remaining Plaintiff in this case is Beth Forry, (Joint Notice at 1 n. 1) rendering this Motion to Dismiss moot.

DONE AND ORDERED in Chambers at Miami, Florida this 21 day of July, 2004.



JOAN A. LENARD
UNITED STATES DISTRICT JUDGE

cc. U. S. Magistrate Judge Chris G. McAliley

All Counsel of Record

01-7089-CIV-LENARD/MCALILEY