

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

FILED  
CA  
FEB 23 2000

U. S. DISTRICT COURT  
E. DIST. OF MO.  
ST. LOUIS

EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )

Plaintiff, )

and )

ZINA LINDSEY, et al., )  
Plaintiff-Intervenors, )

vs. )

Case No. 4:98CV1579 RWS

BEVERLY ENTERPRISES- )  
MISSOURI, INC., )

Defendant. )

**ORDER**

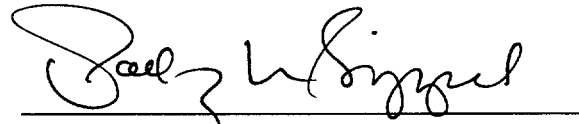
On January 25, 2000, the Court ordered plaintiff Deborah Layton to show cause within twenty-one (21) days why her claims should not be dismissed for failure to prosecute and for failure to comply with discovery and discovery-related orders of the Court. Plaintiff Deborah Layton has failed to respond to the show cause order, and her time for doing so has expired.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff Deborah Layton's claims against defendant Beverly-Enterprises, Missouri, Inc. are dismissed with prejudice for failure to prosecute and for failure to comply with discovery and orders of the Court.

**IT IS FURTHER ORDERED** that defendant's motion for partial dismissal [#68-1], or in the alternative, motion for partial summary judgment [#68-2] are denied as moot.

**IT IS FURTHER ORDERED** that defendant's motion to strike [#89] is denied as moot.

  
\_\_\_\_\_  
RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of February, 2000.

AN ORDER, JUDGMENT OR ENDORSEMENT WAS SCANNED, FAXED AND/OR MAILED TO THE  
FOLLOWING INDIVIDUALS ON 02/24/00 by cahring  
4:98cv1579 EEOC vs Beverly Ent - MO

42:2000e Job Discrimination (Employment)

Jennifer Arendes - 48902	Fax: 314-621-5065
Thomas Borek -	Fax: 314-539-7895
C. Wayne Davis - 82780	Fax: 314-621-5065
Robert Johnson - 10511	Fax: 314-539-7895
Kurt Lord - 38427	Fax: 314-862-0605
C. Miller -	Fax: 314-539-7895
Christopher Oelzen - 34909	Fax: 314-961-5820
Gwendolyn Reams -	Fax: 314-539-7895
Ronald Rothman - 8186	Fax: 314-961-5820
C. Stewart -	Fax: 314-539-7895
Rebecca Stith - 4465	Fax: 314-539-7895
Paul Venker - 4606	Fax: 314-621-5065

**SCANNED & FAXED BY:**  
**FEB 24 2000**  
**C. D. D.**