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 DISTRICT OF NEVADA

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SEP 13 2005

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**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

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U.S. EQUAL EMPLOYMENT)
 OPPORTUNITY COMMISSION, RONNI)
 HILL, and JO-ANNA HARRIS,)
)
 Plaintiff(s),)
)
 vs.)
)
 RIVIERA OPERATING CORPORATION,)
 d/b/a the Riviera Hotel & Casino,)
)
 Defendant(s).)

CV-S-04-1257-RLH (LRL)

ORDER
 (Motion to Dismiss #12)

Defendant has filed a **Motion to Dismiss Certain Causes of Action Brought by Plaintiffs/Intervenors Ronni Hill, and Jo-Anna Harris Pursuant to Rule 12(b) (#12, filed June 21, 2005)**. Plaintiffs' Hill and Harris Opposition (#16) was ultimately filed August 24, 2005, and, in substance, consents to the granting of the motion and promises a stipulation to that effect.

IT IS THEREFORE ORDERED that Defendant's **Motion to Dismiss Certain Causes of Action Brought by Plaintiffs/Intervenors Ronni Hill, and Jo-Anna Harris Pursuant to Rule 12(b) (#12)** is GRANTED and the following are dismissed:

1. Plaintiff Harris' cause of action for sex discrimination under federal and state anti-discrimination statutes;
2. Plaintiff Hill's cause of action for disparate treatment based on age under federal and state anti-discrimination statutes; and

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3. Plaintiff Hill's causes of action only for the time period of 1/13/87 through 6/29/93 based on the Riviera's disclosure of its bankruptcy action.

IT IS FURTHER ORDERED that there remains at issue Plaintiffs Hill and Harris's claims for retaliation and pendent state law claims of intentional and negligent infliction of emotional distress.

Dated: September 12, 2005.


ROGER L. HUNT
U.S. District Judge