

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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**EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,**

**Plaintiff,**

v.

**THE AMERICAN FOOD COMPANY, INC.**

**Defendant.**  
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**00-CV-1860(JS)(MLO)**

**NOTICE OF WITHDRAWAL WITHOUT PREJUDICE**

As a result of the Bankruptcy Court's October 30, 2006 Notice of Distribution, plaintiff Equal Employment Opportunity Commission hereby requests that this action be withdrawn without prejudice.

Dated: New York, NY  
December 19, 2006

Respectfully submitted,

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

\_\_\_\_\_  
/s/

Elizabeth Grossman, Regional Attorney  
New York District Office  
33 Whitehall Street  
New York, New York 10004  
212.336.3696 (phone)  
212.336.3623 (fax)

SO ORDERED:

Dated: Central Islip, NY  
December \_\_, 2006

\_\_\_\_\_  
JOANNA SEYBERT  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served by U.S. Mail, postage prepaid, on this 19th day of December, 2006, to the last known address for Defendant, who is unrepresented by counsel:

Allan B. Miller  
ABM Enterprises  
76 Union Avenue  
Ronkonkoma, NY 11779

/s/ \_\_\_\_\_  
Elizabeth Grossman