

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>EQUAL EMPLOYMENT</b>	:	<b>CIVIL ACTION</b>
<b>OPPORTUNITY COMMISSION</b>	:	
	:	<b>NO. 04-4532</b>
<b>v.</b>	:	
	:	
<b>C. POLITIS &amp; CO.</b>	:	

**ORDER**

**AND NOW**, this 24<sup>th</sup> day of November, 2004, upon consideration of the Motion of Defendant, C. Politis & Co. Pursuant to Fed. R. Civ. P. 12(b)(6) and 56 to Dismiss the Complaint and Award Attorney Fees to Defendant (Docket No. 3) and plaintiff's response, and it appearing that limited jurisdictional discovery is necessary for a determination of the defendant's motion, it is **ORDERED** as follows:

1. The Court shall treat the defendant's motion as a motion for summary judgment.
2. No later than **December 30, 2004**, the parties shall complete discovery limited to the issue of whether the defendant qualifies as an "Employer" under Title VII.
3. The parties shall file supplemental memoranda of law no later than **January 10, 2005**.
4. Oral argument on the motion for summary judgment is scheduled for **January 18, 2005, at 1:30 p.m.** in Courtroom 15B.

s/Timothy J. Savage  
TIMOTHY J. SAVAGE, J.