

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

EQUAL EMPLOYMENT OPPORTUNITY	:	CIVIL ACTION
COMMISSION	:	
	:	05-5150
v.	:	
	:	
TARGET CORPORATION	:	

ORDER

AND NOW, this 23rd day of May, 2006 , upon consideration of the motion of Defendant Target Corporation to Compel the Rule 30(b)(6) Deposition of an EEOC Representative (Doc. No. 20), and all responses thereto (Doc. No. 26), it is hereby ORDERED that the motion is DENIED.¹

BY THE COURT:

s/J. Curtis Joyner
J. CURTIS JOYNER, J.

¹ Defendant presents no binding authority supporting the assertion that the EEOC, by filing suit on behalf of a class of plaintiffs alleging unlawful discrimination, subjects itself to deposition of an agency designee pursuant to Federal Rule of Civil Procedure 30(b)(6). Nor are we persuaded that the EEOC's acquiescence to produce such a designee in other cases in other district courts effectively waives their objections in all cases in all districts. The lack of binding and persuasive authority is compounded by the absence of any affirmative defense or motion to stay proceedings on the basis of failures by the EEOC in the conciliation process, as well as a lack of any apparent move on Defendant's part to conciliate or negotiate a resolution to this case since it has come before this Court.