

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION

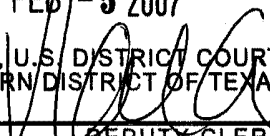
FILED

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,
Plaintiff,

v.

LOOP 20 TEXAS, INC. and U.S.
CHEEMA, INC.,
Defendants.

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FEB - 5 2007
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK


MO-06-CV-121

**ORDER DENYING DEFENDANTS' MOTION TO DISMISS, OR,
IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT**

BEFORE THE COURT is Defendant Loop 20 Texas, Inc., and U.S. Cheema, Inc.'s 12(b)(6) Motion to Dismiss or, in the Alternative, for Summary Judgment, filed December 6, 2006 (Doc. 6). In the Motion, Defendants argue that Plaintiff, the Equal Employment Opportunity Commission ("EEOC"), did not satisfy the second condition required before it may invoke the single filing rule. Specifically, Defendants argue the administrative charge did not give notice that the discrimination was class-wide. After careful consideration of all the pleadings, the Court shall deny the Motion because the Plaintiff EEOC has complied with all of the necessary jurisdictional requirements.

Accordingly, **IT IS HEREBY ORDERED** that Defendants' Motion to Dismiss or, in the Alternative, for Summary Judgment, is **DENIED**.

SIGNED on this 5 day of FEBRUARY, 2007.


ROBERT JUNELL
United States District Judge
Western District of Texas