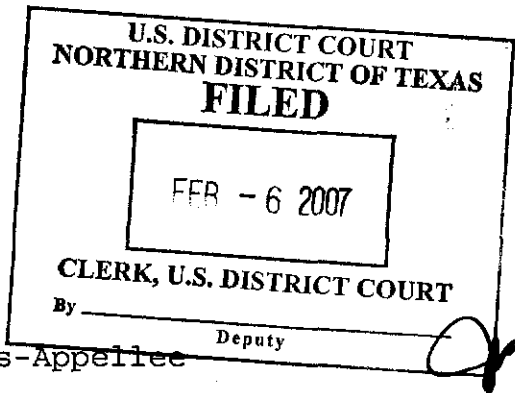

No. 06-10817



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Plaintiff - Appellant-Cross-Appellee

v.


STOCKS INC, doing business as Cafe Italia and Cia Chow Inc

Defendant - Appellee-Cross-Appellant

ENTRY OF DISMISSAL

Pursuant to appellee-cross-appellant's motion the cross appeal is dismissed this 29th day of January, 2007, see FED. R. APP. P. 42(b).

CHARLES R. FULBRUGE III
Clerk of the United States Court
of Appeals for the Fifth Circuit

By: 
Shawn D. Henderson, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

EQUAL EMPLOYMENT OPPORTUNITY §
COMMISSION, §

Plaintiff-Appellant-Cross-Appellee §

V. §

No. 06-10916

STOCKS, INC. d/b/a CAFÉ ITALIA, §

Defendant-Appellee-Cross-Appellant §

U. S. COURT OF APPEALS
FILED
JAN 25 2007
CHARLES R. FULBRUGE III
CLERK

MOTION TO DISMISS

TO THE HONORABLE JUDGE OF THE UNITED STATES COURT OF APPEALS:

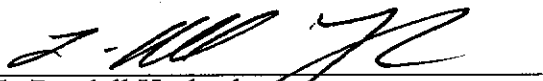
NOW COMES STOCKS, INC. d/b/a CAFÉ ITALIA, Cross-Appellant in the above-entitled and numbered appeal, and respectfully moves this Court for an Order of Dismissal dismissing this cross-appeal and in support thereof would respectfully show the Court as follows:

I.

Cross-Appellant does not desire to prosecute its cross-appeal at this time.

WHEREFORE, PREMISES CONSIDERED, Cross-Appellant prays that this cross-appeal be dismissed.

Respectfully submitted:

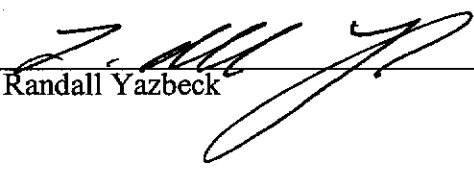

L. Randall Yazbeck
State Bar Number 22144450
5050 Quorum Drive, Suite 140
Dallas, TX 75254
TEL: (972) 458-2922
FAX: (469) 916-2039

ATTORNEY FOR CROSS-APPELLEE

CERTIFICATE OF SERVICE

On the 24th day of January, 2007, a true and correct copy of the foregoing was mailed, certified mail, return receipt requested, and sent via facsimile to the following attorney of record for Appellant:

Mr. Joseph A. Seiner
Office of General Counsel
U.S. Equal Employment Opportunity Commission
1801 L Street, N.W., Room 7018
Washington, D.C. 20507



L. Randall Yazbeck

United States Court of Appeals

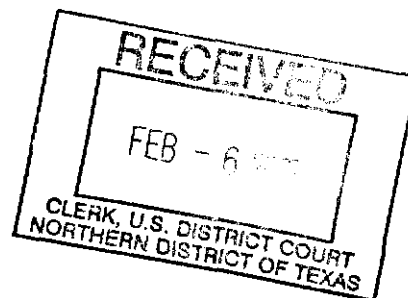
FIFTH CIRCUIT
OFFICE OF THE CLERK

CHARLES R. FULBRUGE III
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

January 29, 2007

Ms Karen S Mitchell, Clerk
Northern District of Texas, Dallas
United States District Court
Room 1452
1100 Commerce Street
Dallas, TX 75242



No. 06-10871 EEOC v. Stocks Inc
USDC No. 3:04-CV-2109

Enclosed is a certified copy of the judgment issued as the mandate.

Sincerely,

CHARLES R. FULBRUGE III, Clerk

By: 

Shawn D. Henderson, Deputy Clerk
504-310-7668

cc: w/encl:

Ms Suzanne Michel Anderson
Mr Joseph A Seiner
Mr L Randall Yazbeck

MDT-1