

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY	§	
COMMISSION,	§	
	§	
Applicant,	§	
	§	
v.	§	Civil Action No. SA-10-MC-0160-OG
	§	
MALAISE LAW FIRM, P.C.,	§	
	§	
Respondent.	§	

MOTION TO DISMISS

Applicant, United States Equal Employment Opportunity Commission (the “EEOC” or “Commission”), files this Motion to Dismiss the above captioned matter. In support of this Motion, the EEOC respectfully shows the Court that Respondent has provided the information and/or documentation responsive to the EEOC’s Administrative Subpoena, upon which the Commission brought this Application to Enforce. Since Respondent has complied with the EEOC’s Administrative Subpoena, the Commission has determined that it is no longer necessary to pursue its Application to Enforce an Administrative Subpoena.

Therefore, the Commission requests that the Court grant this Motion to Dismiss without prejudice.

Respectfully submitted,

JAMES L. LEE
Deputy General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel

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/s/ Judith G. Taylor

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Application to Enforce an Administrative Subpoena was served via certified mail, return receipt requested, on this the 11th day of March 2010, on:

Inez McBride
Attorney for Malaise Law Firm, P.C.
HOLLAND & HOLLAND, L.L.C.
North Frost Center
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San Antonio, Texas 78209

/s/ Judith G. Taylor

JUDITH G. TAYLOR

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ORDER OF DISMISSAL WITHOUT PREJUDICE

On this ____ day of _____, 2010, the Court considered Applicant’s Motion to Dismiss EEOC’s Application to Enforce Administrative Subpoena without prejudice. Having carefully considered the pleading, the Court is of the opinion that the motion should be GRANTED.

It is therefore ORDERED that EEOC’s Application to Enforce Administrative Subpoena is dismissed without prejudice.

ORLANDO GARCIA
UNITED STATES DISCTICT JUDGE