FILED

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA 00 JUL 27 AM 5 **JASPER DIVISION**

EQUAL EMPLOYMENT } OPPORTUNITY COMMISSION, }	U.S. DISTRICT COURT N.D. OF ALARAMA
Plaintiff, }	
v. }	CASE NO. CV 99-B-1556-J
OAK MOUNTAIN ENERGY, L.L.C.,	
Defendant. }	ENTERED
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## ORDER

This case is before the court on plaintiff's Motion to Dismiss Without Prejudice filed July 24, 2000. Pursuant to 11 U.S.C. § 362, a petition for bankruptcy operates as a stay of these proceedings. In lieu of the fact that defendant has filed a Chapter 7 bankruptcy petition and that it is highly unlikely that any relief can be obtained from the defendant, either injunctive or monetary, the court hereby **ORDERS** that plaintiff's Motion to Dismiss is **GRANTED**.

This action is DISMISSED WITHOUT PREJUDICE against defendant Oak Mountain Energy to the right of plaintiff to petition to reinstate this action to pursue any claim embraced herein not adjudicated in, or discharged by, the proceedings in the Bankruptcy Court. Such reinstatement, when allowed, will cause the filing date of any claim so reinstated to relate back to the original filing date of this action. Each party shall bear its own costs herein.

DONE this 27th day of July, 2000.

United States District Judge