

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

02 DEC 16 PM 1:15

U.S. DISTRICT COURT
N.D. OF ALABAMA

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

vs.

R & J Enterprises, d.b.a. International
House of Pancakes, AJM Inc.,
d.b.a. International House of
Pancakes, and Strategic
Outsourcing, Inc.,

Defendants.

CIVIL ACTION #

CV-02-C-2314-S

MOTION FOR DISMISSAL

COMES NOW the Defendant AJM, Inc. In the above styled case and does move this Honorable Court for a dismissal from this action under the provisions of FRCP 12 (b) (6) and as grounds for this dismissal does state as follows:

1. None of the allegations stated in the complaint apply to this Defendant.
2. None of the Plaintiffs ever worked at, were employed by or had any connection with AJM, Inc.
3. There has never been any connection between any of the claimants and Defendant AJM, Inc.
4. Defendant AJM, Inc. is not a proper party defendant to any of the actions stated in this complaint by Plaintiff.
5. Based on the allegations made in the complaint, Plaintiff fails to state a claim upon which relief can be granted and under the provisions of 12(b) (6) this party is due to be dismissed from this action.

Respectfully Submitted,

Sid Hughes
Sid Hughes
2908 Crescent Avenue
Birmingham, AL 35209
(205)-871-7430

DENIED
W. Keenan 1/6/03
JUDGE DATE

JAN 6 2003