

For the foregoing reasons, the EEOC respectfully requests that the Court dismiss with prejudice the EEOC's claims on the following terms:

- A. Dismissal of the EEOC's complaint shall be effective 30 days after the Court's ruling on this motion, to permit the Charging Party an opportunity to seek new private counsel and renew her intervention in this action. *See* 42 U.S.C. §2000e-5(f)(1) ("The person or persons aggrieved shall have the right to intervene in a civil action brought by the Commission . . .").
- B. Each party to this action shall bear its own fees and costs with respect to the dismissed EEOC claims.

Respectfully submitted,

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