

FILED

UNITED STATES COURT OF APPEALS August 10, 2007

FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 05-21090

✓ D.C. Docket No. 4:04-CV-3372

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Plaintiff - Appellant

v.

WC&M ENTERPRISES INC doing business as, Streater-Smith
Honda

Defendant - Appellee

United States Courts
Southern District of Texas
FILED

OCT 05 2007

Michael N. Milby, Clerk

Appeal from the United States District Court for the
Southern District of Texas, Houston.

Before DAVIS, DENNIS, and PRADO, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and was
argued by counsel.

It is ordered and adjudged that the judgment of the District
Court is reversed, and the cause is remanded to the District
Court for further proceedings in accordance with the opinion of
this Court.

IT IS FURTHER ORDERED that defendant-appellee pay to
plaintiff-appellant the costs on appeal to be taxed by the Clerk
of this Court.

ISSUED AS MANDATE: OCT 02 2007

A True Copy
Attest

Clerk, U.S. Court of Appeals, Fifth Circuit

By: Sabrina B Short
Deputy

OCT 02 2007

New Orleans, Louisiana