IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

AUGUSTINE DUBE, et al, §	
§	
Plaintiff §	
Š	
And	
Š	
EQUAL EMPLOYMENT §	
OPPORTUNITY COMMISSION, §	
§	
	TVIL ACTION NO. H-01-0900
§	
v. §	
§	
EAGLE GLOBAL LOGISTICS a/k/a §	
EAGLE U.S.A. AIRFREIGHT, INC., §	
§	
Defendant. §	

JOINT MOTION TO DISMISS WITH PREJUDICE

Defendant Eagle Global Logistics a/k/a Eagle U.S.A. Airfreight, Inc. ("Eagle") and Plaintiff-Intervenor United States Equal Employment Opportunity Commission (the "EEOC") (collectively the "Parties") move the Court to dismiss this case with prejudice pursuant to Fed. R. Civ. P. 41.

- 1. Eagle and the EEOC are the only parties remaining in this case. This Court dismissed the claims of Plaintiffs Dube, Morris, Evans, McVeigh, Capaletti, Greaux, and Davis with prejudice on June 5, 2003.
- 2. A Consent Decree was entered into between Eagle and the EEOC and filed October 2, 2001. The Parties represent that the claims administration process established in the Consent Decree is completed and that all terms of the Consent Decree have been satisfied.

3. As part of the Consent Decree entered in this matter (at Paragraph 86(A)), the Court stayed two cases styled *Eagle-USA Airfreight, Inc.; EGL, Inc.; EGL Eagle Global Logistic, L.P.; Freight Services Management, Eagle Freight Services, Inc. v. Equal Employment Opportunity Commission, et al.*, Civil Action No. H-00-1535 and H-98-0316, filed in the U.S. District Court for the Southern District of Texas, Houston Division. By this Motion, the Parties hereby request dismissal of these cases with prejudice.

<u>Prayer</u>

Eagle and the EEOC request that the Court sign Orders dismissing with prejudice the following cases:

- Augustine Dube, et al. and the U.S. Equal Employment Opportunity Commission v. Eagle
 Global Logistics a/k/a Eagle U.S.A. Airfreight, Inc., Civil Action No. H-01-900, in the
 U.S. District Court for the Southern District of Texas, Houston Division; and
- Eagle-USA Airfreight, Inc.; EGL, Inc.; EGL Eagle Global Logistic, L.P.; Freight Services Management, Eagle Freight Services, Inc. v. Equal Employment Opportunity Commission, et al., Civil Action Nos. H-00-1535 and H-98-0316, filed in the U.S. District Court for the Southern District of Texas, Houston Division.

Respectfully submitted,

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ATTORNEYS FOR PLAINTIFF-INTERVENOR, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that on this	Nac	, 18		2007.	lelec	tronically	filed	l the
foregoing with the Clerk of Court u	sing the	CM/ECF	System	which	will	automatic	ally	send
email notification of such filing to all	attorneys	of record	*					

C. Dean Herms, Jr.

ATTORNEY FOR DEFENDANT, EAGLE GLOBAL LOGISTICS a/k/a EAGLE U.S.A. AIRFREIGHT, INC.

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