

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

UNITED STATES EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Plaintiff,

LA SHONDA BURNS,

Intervenor-Plaintiff,

vs.

CASE NO.: 3:05-cv-990-J-32TEM

MOTHERS WORK, INC.,  
d/b/a MOTHERHOOD,

Defendant.

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**ORDER**

This case came before the Court on Defendant Mothers Work, Inc.'s Motion to Dismiss Counts III and IV of Intervenor-Plaintiff's Complaint (Doc. #19) to which intervenor-plaintiff filed a response (Doc. #23). The Court heard argument on the motion on April 11, 2006, the record of which is incorporated by reference. For the reasons stated on the record, it is hereby

**ORDERED:**

1. Defendant Mothers Work, Inc.'s Motion to Dismiss Counts III and IV of Intervenor-Plaintiff's Complaint (Doc. #19) is **DENIED**.
2. Defendant's Amended Answer shall be served by **April 25, 2006**.

**DONE AND ORDERED** at Jacksonville, Florida, this 18th day of April, 2006.

  
TIMOTHY J. CORRIGAN  
United States District Judge

m.  
Copies to:  
Counsel of Record