

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

**EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,** )  
)  
**Plaintiff,** )  
)  
**vs.** )  
)  
**UNITED CELLULAR INC.,** )  
)  
**Defendant.** )

Civil Action Number  
**5:13-cv-01207-AKK**

**ORDER**

On November 13, 2015, the magistrate judge’s report and recommendation, doc. 73, was entered and the parties were allowed therein fourteen (14) days in which to file objections to the recommendations made by the magistrate judge. No objections were filed.

After careful consideration of the record in this case and the magistrate judge’s report and recommendation, the court hereby **ADOPTS** the report of the magistrate judge. The court further **ACCEPTS** the recommendations of the magistrate judge that the EEOC’s first motion for summary judgement, doc. 24, be **DENIED** as **MOOT**, the EEOC’s amended first summary judgment, doc. 26, be **DENIED** because genuine issues of material fact remain, and that the EEOC’s second motion for partial summary judgment, doc. 35, be **DENIED** because

United has not stated any affirmative defenses and the arguments raised are more appropriate for trial.

This case is set for a telephonic status conference on Thursday, January 28, 2016, at 1:30 p.m. [CST]. The parties are directed to initiate the call between themselves, and then to connect to the court by dialing 205-278-1852 five minutes prior to the conference. If the parties wish to arrange for a call-in number, they must notify the court by emailing [kallon\\_chambers@alnd.uscourts.gov](mailto:kallon_chambers@alnd.uscourts.gov) by 4:30 p.m. on the day prior to the conference.

**DONE** the 15th day of January, 2016.

  
\_\_\_\_\_  
**ABDUL K. KALLON**  
UNITED STATES DISTRICT JUDGE