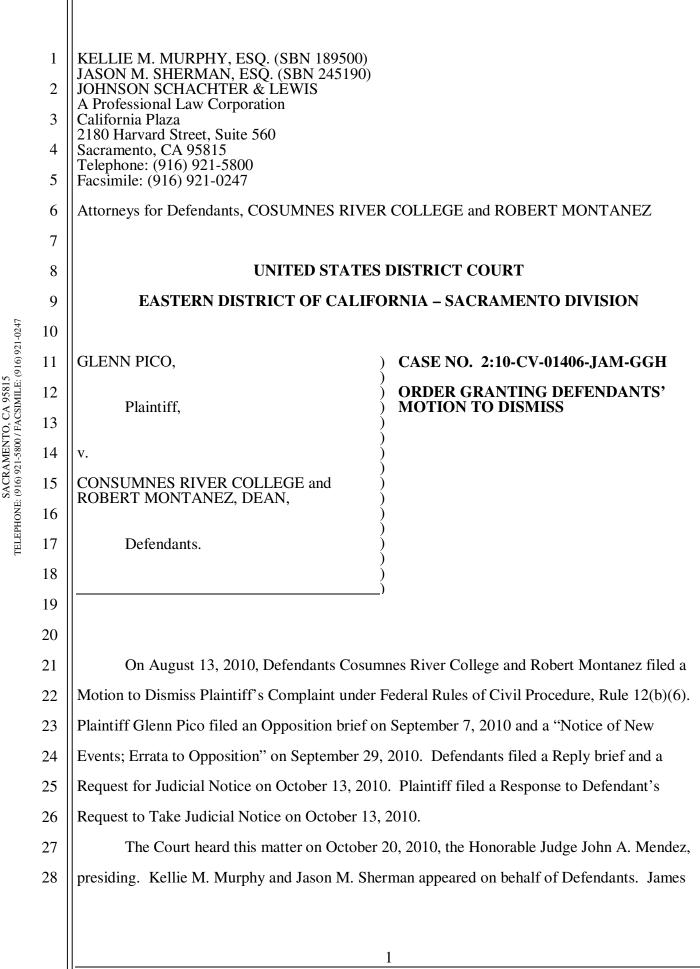
JOHNSON SCHACHTER & LEWIS

A PROFESSIONAL LAW CORPORATION 2180 HARVARD STREET, SUITE 560



1 Joseph Lynch, Jr. appeared on behalf of Plaintiff.

2 Having considered all matters submitted in the papers, all admissible evidence submitted 3 in connection therewith, the pleadings on file in this matter, and the applicable law, and 4 following oral argument, the Court finds and rules as follows:

A plaintiff must commence a civil action based on charges contained in an Equal Employment Opportunity Commission complaint within 90 days of receipt of the Notice of Right to Sue. This 90-day time period is proscribed for civil actions brought under Title VII. (42 U.S.C. § 2000e-5(f)(1).) It is undisputed that Plaintiff in this matter did not file a Complaint within 90 days of receipt of his Notice of Right to Sue, and that the Complaint subject to this motion was filed beyond the 90 day time period.

Defendants' Motion to Dismiss Plaintiff's entire Complaint is **GRANTED** with prejudice. The Court directs the Clerk to enter judgment in favor of Defendants pursuant to Rule 58(a).

IT IS SO ORDERED.

Dated: October 21, 2010

[PROPOSED] ORDER GRANTING PDF created with pdfFactory trial version www.pdffactory.com /s/ John A. Mendez The Honorable John A. Mendez

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