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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff, and

KERRY KIRKSEY,

Plaintiff-Intervenor,

v.

ITT EDUCATIONAL SERVICES, INC.
d/b/a ITT TECHNICAL INSTITUTES,

Defendant.

No. 2:11-cv-02504-KJM-KJN

ORDER

Plaintiff Equal Employment Opportunity Commission (EEOC) filed this action under the American with Disabilities Act, 42 U.S.C. § 12101 *et seq.* and Title I of the Civil Rights Act of 1991, 42 U.S.C. § 1981a. ECF No. 36 at 1. The EEOC alleges that defendant ITT Educational Services, Inc. (ITT) subjected Kerry Kirksey to disability discrimination by not accommodating him in the application and hiring process. *Id.* Kirksey intervened as plaintiff. *Id.* On June 18, 2013, the court issued a consent decree, which, in relevant parts, stated the case shall be dismissed with prejudice upon the expiration of the decree. *See generally id.* The

1 consent decree expired on June 18, 2016. *Id.* at 9. The case therefore is DISMISSED WITH
2 PREJUDICE.

3 IT IS SO ORDERED.

4 DATED: August 22, 2016.

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7 UNITED STATES DISTRICT JUDGE
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