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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

VEER B. SINGH,
Plaintiff,
v.
TARGET CORPORATION,
Defendant.

No. 2:18-cv-01273-KJM-CKD PS

ORDER AND FINDINGS AND
RECOMMENDATIONS

On May 16, 2018, this matter was transferred from the Federal District Court for the Northern District of California to the Eastern District of California because the court determined that venue is proper in the Eastern District. (See ECF No 32.)

For the reasons discussed below, the court concludes that this action is duplicative of an action that was previously filed in this court. Accordingly, the court recommends that the instant action be dismissed as duplicative.

On October 19, 2017, plaintiff Veer Singh commenced an action in the Eastern District of California against defendant Target Corporation, alleging discrimination, retaliation, and wrongful termination, on the basis of plaintiff's religion, in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e–2000e-17. (See generally Singh v. Target Corporation, 2:17-cv-02186-JAM-EFB, ECF No 1.) Along with the complaint, plaintiff included a copy of a right to sue letter from the Equal Employment Opportunity Commission that was issued on July

1 21, 2017. (Id.) That matter is still pending.

2 On October 20, 2017, plaintiff initiated the instant action in the Northern District of
3 California against defendant Target Corporation, alleging discrimination, retaliation, and
4 wrongful termination, on the basis of plaintiff's religion, in violation of Title VII. (See generally,
5 ECF No. 1.) Along with the complaint in the instant action, plaintiff also included a copy of the
6 July 21, 2017 right to sue letter from the Equal Employment Opportunity Commission. (Id.)

7 It is apparent that the instant matter concerns the same parties and allegations as Singh v.
8 Target Corporation, 2:17-cv-02186-JAM-EFB. Indeed, aside from a few superficial differences
9 in the form plaintiff used in each complaint, the complaints are nearly identical. (Compare ECF
10 No. 1 with Singh v. Target Corporation, 2:17-cv-02186-JAM-EFB, ECF No. 1.)

11 Therefore, the court recommends that the instant action be dismissed as duplicative. In
12 recommending dismissal of this action, the court expresses no opinion regarding the merits of
13 plaintiff's claims, which plaintiff may pursue in the earlier action.

14 Accordingly, IT IS HEREBY RECOMMENDED that:

- 15 1. This action be dismissed as duplicative.
- 16 2. The Clerk of Court be directed to close this case.

17 In light of these recommendations, IT IS ALSO HEREBY ORDERED that all pleading,
18 discovery, and motion practice in this action are STAYED pending resolution of the findings and
19 recommendations. With the exception of objections to the findings and recommendations and
20 any non-frivolous motions for emergency relief, the court will not entertain or respond to any
21 motions and other filings until the findings and recommendations are resolved.

22 These findings and recommendations are submitted to the United States District Judge
23 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen (14)
24 days after being served with these findings and recommendations, any party may file written
25 objections with the court and serve a copy on all parties. Such a document should be captioned
26 "Objections to Magistrate Judge's Findings and Recommendations." Any reply to the objections
27 shall be served on all parties and filed with the court within fourteen (14) days after service of the
28 objections. The parties are advised that failure to file objections within the specified time may

1 waive the right to appeal the District Court's order. Turner v. Duncan, 158 F.3d 449, 455 (9th
2 Cir. 1998); Martinez v. Ylst, 951 F.2d 1153, 1156-57 (9th Cir. 1991).

3 Dated: August 21, 2018



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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8 14/18-1273 Singh v. Target.F&Rs re Dismissal of Action as Duplicative
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