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13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 EQUAL EMPLOYMENT OPPORTUNITY) 16 COMMISSION,) 17 Plaintiff,) 18 v.) 19 ROBERT MORGAN ENTERPRISES,) 20 Defendant)	Case No. C-10-04757 JW)) NOTICE OF WITHDRAWAL OF MOTION;) REQUEST TO VACATE JUDGMENT DEBTOR) EXAMINATION)) Examination Date: September 24, 2012) Time: 9:00 AM) Court Room: 9, 19 th Floor)))
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21 **I. INTRODUCTION**

22 On December 14, 2011, the Court issued an Order [Docket No. 37] instructing Defendant
 23 Robert Morgan Enterprises to fully comply with this Court’s prior October 26th Order [Docket No.
 24 31] regarding completion of payment by January 30, 2012 to Charging Part Rena Flores as per the
 25 parties’ Consent Decree [Docket No. 25]. Furthermore, on December 14, 2011, this Court issued an
 26 Order Granting Plaintiff’s Motion for Attorney Fees [Docket No. 38], instructing Defendant to
 27 deliver a check to Plaintiff in the amount of \$6,600 on or before January 30, 2012.

28 Defendant’s failure to comply with the Court’s orders led to a finding of Civil Contempt
 against Defendant, and forced Plaintiff Equal Employment Opportunity Commission (“EEOC”) to

1 file an *Ex Parte* Application for Issuance of Order of Examination against Judgment Debtor [Docket
2 No. 45], which this Court granted on March 29, 2012 [Docket No. 46]. After several continuances of
3 the examination date, the Court ordered Defendant Robert Morgan Enterprises and Robert V.
4 Morgan, Jr. to appear before this Court for the Judgment Debtor Examination on September 24, 2012
5 [Docket No. 55].

6 **II. COMPLIANCE WITH THIS COURT'S ORDERS**

7 On September 14, 2012, Plaintiff EEOC received an accounting statement of Defendant's
8 complete and final payment of the settlement amount to Charging Party Flores. Additionally, EEOC
9 received a check in the amount of \$6,600 for payment of the court-ordered attorney fees.

10 **III. FURTHER JUDICIAL ACTION**

11 In light of Defendant's final compliance with this Court's orders, Plaintiff EEOC respectfully
12 requests the Court to vacate the September 24, 2012 Judgment Debtor Examination.

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14 DATED: September 17, 2012

/s/ Raymond T. Cheung

15 Raymond T. Cheung,
16 Counsel for Plaintiff
17 Equal Employment Opportunity Commission

18 [~~Proposed~~] ORDER

19 It is so ordered that the September 24, 2012 Judgment Debtor Examination is vacated.

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21 Dated: September 18, 2012



22 UNITED STATES MAGISTRATE JUDGE
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