

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

SONIA W. PITTMAN,

Plaintiff,

v.

PEDIATRIC SERVICES OF AMERICA,

Defendant.

Civil Action No. 7:11-CV-159(HL)

ORDER

Before the Court is Plaintiff Sonia W. Pittman's Motion to Set Aside (Doc. 16). For the reasons stated below, the Motion is denied.

This Court previously granted Defendant Pediatric Services of America's Motion to Dismiss based on Pittman's failure to exhaust her administrative remedies (Doc. 10). The Court found that Pittman failed to submit her charge of discrimination to the EEOC within the statutory period and judgment was entered in favor of Defendant on March 30, 2012. Pittman filed a Motion for Reconsideration after judgment was entered, arguing that she did, in fact, submit her charge of discrimination on time. However, the Court found that Pittman did not present any evidence that justified vacating the judgment. (Doc. 15.)

Now, in her most recent motion, Pittman asks the Court to set aside its judgment in favor of Defendant on the grounds that Defendant has submitted "motions, memorandums, and statements [that are] not ... factual." (Doc. 16, p.

1.) Pittman claims that Defendant “has deceived this Court in reference to the fact of the filing date in believing complaint was not filed in a timely manner.” Id.

Despite her arguments, Pittman has not submitted any evidence in her Motion to Set Aside that has not been previously considered by the Court. The attachments to her Motion consist only of exhibits that have been considered earlier in connection with Defendant’s Motion to Dismiss (Doc. 6) and with Plaintiff’s Motion for Reconsideration (Docs. 12, 13, 14). Without any new evidence or legal arguments, there is no reason to set aside the judgment that was rendered in favor of Defendant. Thus, Pittman’s Motion to Set Aside is denied.

SO ORDERED, this 16th day of August, 2012.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

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