

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

and

MELISSA BELL, SAHRA CARTER,
MEKEESHA DELANEY, ANGELA
GARCIA, VERNICINA HUTTO, REBECCA
MARTINEZ, ELIZABETH PARKER,
TAMARA RANSOM, and SHANNON
SMITH (f/k/a/ SHANNON HUNTER),

Case 08-1274-JTM-KMH

Plaintiff-Interveners,

vs.

AKAL SECURITY, INC.,

Defendant.

MEMORANDUM AND ORDER

Presently before the court is plaintiff Equal Employment Opportunity Commission (EEOC) and Plaintiff-Interveners (Interveners) joint motion to strike defendant Akal Security, Inc.'s (Akal) reply brief in support of its motion to join the United States Secretary of Defense pursuant to Rule 19 of the Federal Rules of Civil Procedure (Dkt. 30), or alternatively, for leave to file a surreply (Dkt. 35). For the following reasons, this court denies the motion.

The EEOC and Interveners move to strike Akal's reply brief because it allegedly contains new factual allegations and arguments not raised in Akal's original motion and supporting memorandum. The court did not materially rely upon Akal's reply brief in determining its

motion to join the United States Secretary of Defense, and thus, the court denies the EEOC and Intervener's motion as moot.

IT IS ACCORDINGLY ORDERED this 30th day of July, 2009, that the present motion is hereby denied.

s/ J. Thomas Marten
J. THOMAS MARTEN, JUDGE