

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**NDABEZINHLE MOYO**

\*

**Plaintiff**

\*

v.

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**CIVIL CASE NO. JKB-12-1155**

**DIRECT ENERGY, et al.**

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**Defendants**

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**MEMORANDUM**

Pending before the Court is the MOTION TO DISMISS PLAINTIFF’S COMPLAINT (ECF No. 10) filed by Defendant. The Plaintiff has responded to the Motion (ECF No. 17) and the Motion is ripe for resolution.

The Motion will be granted in an accompanying Order. The Plaintiff did not bring this matter to the attention of the Equal Employment Opportunity Commission within the requisite 300 days and thus, this Court lacks subject matter jurisdiction. Further, the Plaintiff has not persuaded the Court that the statutes under which he sues have extra territorial effect. In other words, given that the conduct about which the Plaintiff complains evidently all occurred in Canada, the Court is not persuaded that relevant U.S. law applies, even if the alleged facts are all true. Lastly, none of the Defendant’s claims are supported by allegations of facts such that the claims are plausible.

Upon the foregoing, the Court concludes that dismissal is appropriate. An Order of Dismissal will accompany this Memorandum.

DATED this 8th day of January, 2013.

BY THE COURT:

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/s/  
James K. Bredar  
United States District Judge