

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

**EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
)
Plaintiff,)
)
ABDI MOHAMED, et al.,)
)
Plaintiff/Intervenors,)
)
FARHAN ABDI, et al.,)
)
Plaintiff/Intervenors,)
)
v.)
)
JBS USA, LLC f/k/a JBS SWIFT & CO.,)
a/k/a SWIFT BEEF COMPANY,)
)
Defendant.)**

CASE NO. 8:10CV318

**ORDER GRANTING DEFENDANT’S
UNOPPOSED MOTION TO
WITHDRAW AND RE-FILE
DEFENDANT’S INDEX OF
EVIDENTIARY MATERIALS IN
SUPPORT OF DEFENDANT’S
REPLY BRIEF IN SUPPORT OF
MOTION TO DISMISS
EEOC’S COMPLAINT [DOC 36]**

This matter is before the Court on Defendant JBS USA, LLC f/k/a JBS Swift & Company’s (“Defendant”) Unopposed Motion to Withdraw and Re-File Defendant’s Index of Evidentiary Materials in Support of Defendant’s Reply Brief in Support of Motion to Dismiss EEOC’s Complaint (Filing No. 36). For the reasons set forth in Defendant’s Motion, and the Court being fully advised in the premises:

1. The Defendant’s Motion to Withdraw (Filing No. 45) is granted;
2. The previously filed Index (Filing No. 36) is deemed withdrawn; and
3. For purposes of the clarity of the docket, the Defendant must refile its tendered Revised Index of Evidentiary Materials as an “Amended Index” within seven (7) days of this Order.

DATED this 14th day of January, 2011.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge