

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

<b>EQUAL EMPLOYMENT</b>	)	
<b>OPPORTUNITY COMMISSION,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>8:10CV318</b>
	)	
<b>V.</b>	)	
	)	
<b>JBS USA, LLC,</b>	)	<b>ORDER</b>
	)	
<b>Defendant.</b>	)	
	)	

This matter is before the Court on Defendant’s Motion to Compel Answers to Interrogatories and Request for Sanctions ([filing 689](#)). Defendant’s Motion will be granted, in part.

**BACKGROUND**

On January 13, 2015, Defendant served interrogatories on Plaintiff/Intervenors Asli Abdille Abdullahi (f/k/s Ambiya Roble), Said Adoow, Noor Ahmed, Ahmed Farah Ali, Ayan Ali, Rashid Yusuf Hundule, Abdirisak Adan Abdulahi (f/k/a/ Hussein Hussein), Adbulkadir Jama, Mohamed Jama, Abdalle Hassan Mahamud, Hanad Mohammed, Yusuf Hassan Mohamud (f/k/a/ Abdalle Ali Mohamud), Astur Mur, Warsame Nur, Ali Abdi Hakim Said, and Abdulqani Yusuf (collectively referred to herein as “Plaintiff/Intervenors”). These Plaintiff/Intervenors are represented by CAIR-Chicago.

CAIR-Chicago attempted to contact Plaintiff/Intervenors on multiple occasions in an effort to get them to verify their interrogatory responses. However, Plaintiff/Intervenors failed to respond to these communications. As a result, to date, CAIR-Chicago has not provided verified interrogatory responses to Defendant. CAIR-Chicago did, however, provide Defendant with unverified responses.

Due to Plaintiff/Intervenors’ failure to communicate, CAIR-Chicago moved to

withdraw as their counsel on July 27, 2015 ([filing 708](#)). By order dated July 28, 2015, the Court granted CAIR-Chicago leave to withdraw, instructing counsel to mail a copy of the Court's order to Plaintiff/Intervenors, along with a letter notifying them that CAIR-Chicago would no longer be representing them in this action. ([Filing 711](#).) The order further provided that counsel would not be relieved of their duties until proof of service was filed showing compliance with the order. (*Id.*) At this time, CAIR-Chicago remains listed as Plaintiff/Intervenors' counsel of record.

## **DISCUSSION**

There does not appear to be any dispute that Defendant is entitled to discovery responses. On account of Plaintiff/Intervenors' lack of responsiveness, Defendant does not seek sanctions directly against CAIR-Chicago. Therefore, in light of the circumstances, the Court will grant Defendant's Motion to Compel, but will deny Defendant's request for sanctions against Plaintiff/Intervenors at this time. In the event Plaintiff/Intervenors fail to comply with this Order, the issue of sanctions against Plaintiff/Intervenors may be revisited.

Accordingly,

**IT IS ORDERED** that Defendant's Motion to Compel Answers to Interrogatories and Request for Sanctions ([filing 689](#)) is granted, in part. Plaintiff/Intervenors shall supply verified responses to Defendant's interrogatories within forty-five (45) days of this Order. Failure to do so may result in the imposition of sanctions, including, but not limited to, dismissal of these Plaintiff/Intervenors' claims. CAIR-Chicago shall immediately mail copies of this Order, by certified mail, to the above-referenced Plaintiff/Intervenors at their last known addresses of record. Immediately thereafter, CAIR-Chicago shall file a certificate of service showing compliance with this Order.

**DATED September 17, 2015.**

**BY THE COURT:**

**S/ F.A. Gossett  
United States Magistrate Judge**