IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,	
Applicant,))) MISCELLANEOUS ACTION NO:
V.) 4:08-mc-00364
FOXCONN CORPORATION)
Respondent.)

PETITIONER'S UNOPPOSED MOTION TO CONTINUE SHOW CAUSE HEARING

1. As set forth in Petitioner's Application to Enforce Administrative Subpoenas filed in this cause, this is an action for enforcement of two administrative subpoenas issued by Petitioner Equal Employment Opportunity Commission ("EEOC") as part of the EEOC's investigation of a charge of unlawful employment practices under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*, and the Age Discrimination in Employment Act, as amended, 29 U.S.C. § 621, *et seq.*

2. On July 28, 2008, the Court entered a Show Cause Order requiring Respondent Foxconn Corporation ("Foxconn") to appear before the Court on **August 29, 2008, at 1:30 p.m.**, and show cause why an order of the Court should not be issued directing Respondent to comply with the subpoenas.

3. Since the filing of Petitioner's Application, Foxconn has contacted Petitioner, and the parties have been engaged in negotiations to attempt to resolve this matter without the necessity of further court intervention. It is anticipated that the parties need approximately an additional calendar month to either resolve this matter informally or, in the alternative, proceed with the Show Cause Hearing. Accordingly, for good cause shown, Petitioner is asking the Court for a continuance of the Show Cause Hearing until a date on or following September 29, 2008. As set forth in the Certificate of Conference below, Foxconn is unopposed to this Motion. This Motion is not sought for delay only, but so that justice may be done.

WHEREFORE, PREMISES CONSIDERED, the Equal Employment Opportunity Commission prays that the Court continue the Show Cause Hearing in this matter to a date on or following September 29, 2008, to allow the parties to attempt to resolve this matter informally. Petitioner prays for such other and further relief to which it may be justly entitled.

Respectfully submitted,

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

RONALD S. COOPER General Counsel

JAMES L. LEE Deputy General Counsel

GWENDOLYN YOUNG REAMS Associate General Counsel 1801 L. Street, N.W. Washington, D.C. 20507

_/s/_Connie K. Wilhite Connie K. Wilhite Trial Attorney Attorney-in-Charge Texas Bar No. 00792916 Southern Dist. of Texas No. 23624 Equal Employment Opportunity Commission 1919 Smith Street, 6th Floor Houston, Texas 77002 (713) 209-3390 (713) 209-3402 [facsimile]

OF COUNSEL:

Jim Sacher Regional Attorney

Rose Adewale-Mendes Supervisory Trial Attorney Equal Employment Opportunity Commission 1919 Smith Street, 6th Floor Houston, Texas 77002

CERTIFICATE OF CONFERENCE

I hereby certify that, on August 27, 2008, I conferred with counsel for Respondent, Tim Watson, by telephone, and he represented that Respondent is in agreement with a continuance of the Show Cause Hearing, as set forth in the foregoing Motion.

> _/s/_Connie K. Wilhite_____ Connie K. Wilhite

CERTIFICATE OF SERVICE

I certify that on the 28th day of August, 2008, a copy of the Commission's Application to Enforce Administrative Subpoena and the Memorandum in Support of Application to Enforce Administrative Subpoena were sent via certified mail, return receipt requested, to Respondent Foxconn Corporation, through its registered agent at the following address:

Sean Phillips Foxconn Corporation 8801 Fallbrook Dr. Houston, Texas 77064

and via U.S. mail first class to Respondent's counsel who have not yet made an appearance in this matter:

Tim Watson Esteban Shardonofsky Seyfarth Shaw, L.L.P. 700 Louisiana Street, Suite 3700 Houston, Texas 77002-2797

> _/s/_Connie K. Wilhite_____ Connie K. Wilhite