

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

DOROTHY LEWIS,

Plaintiff,

Vs.

Case No. 05-4040-SAC

4B CORPORATION,
RON GIANGRECO and
TOM WISEMAN,

Defendants.

DOROTHY LEWIS,

Plaintiff,

Vs.

Case No. 05-4041-SAC

4B CORPORATION,
RON GIANGRECO and
TOM WISEMAN,

Defendants.

MEMORANDUM AND ORDER

This case comes before the court on defendants' motion to dismiss the individual defendants from case 05-4041, which has been consolidated with

case 05-4040. Plaintiff, acting pro se, filed the Title VII case against her employer, 4B Corporation, its store director, Tom Wiseman, and its Human Resources Director, Ron Giangreco. The two individual defendants were sued in their official capacities. Thereafter counsel was appointed to represent plaintiff.

Defendant contends that naming individual defendants in their official capacity is improper in a Title VII suit, and that plaintiff failed to exhaust her administrative remedies regarding these defendants. Plaintiff, through her counsel, has responded that she has no objection to the motion.

IT IS THEREFORE ORDERED that defendant's motion to dismiss defendants Giangreco and Wiseman from case no. 05-4041 is granted.

Dated this 23rd day of August, 2005, Topeka, Kansas.

s/ Sam A. Crow

Sam A. Crow, U.S. District Senior Judge