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West Inc v Jackson 130 S Ct 2772 2010 The lack of timeliness in filing a discrimination action is an affirmative defense and the burden of proof is on the employer Salas v Wisconsin Department of Corrections 493 F 3d 913 922 7th Cir 2007 A federal employee's premature filing of a sexual harassment employment discrimination and retaliation complaint did not constitute a failure to exhaust administrative remedies so as to deprive the district court of subject matter jurisdiction Brown v Snow 440 F 3d 1259 11th Cir 2006 A majority of states impose a shorter period for filing with their agencies though so the filing deadline is not always extended when a state has its own agency The andquot single filing ruleandquot under which a party who has not filed an EEOC charge or received a right to sue notice may and guot piggybackand guot his or her judicial action on the claim of a party who has satisfied those prerequisites has been described as a andquot carefully limited exceptionandquot to Title VII s procedural requirements Price v Choctaw Glove and Safety Co 459 F 3d 595 5th Cir 2006 Provided that an act contributing to the claim occurs within the filing period the court may consider the entire period of the hostile environment for purposes of determining liability Jordan v City of Cleveland 464 F 3d 584 6th Cir 2006 The Supreme Court has held that a plaintiff s timely filing of an EEOC intake questionnaire which was followed by an affidavit stating and quot Please force Federal Express to end their age discrimination and quot constituted a charge cautioning however that its permissiv California. Court of Appeal (1st Appellate District). Records and Briefs California (State)., Number of Decisions and Reports United States. Securities and Exchange Commission, 1998 Exhibits 23 Current Problems in Federal Civil Practice ,1988 Dictionary Catalog of the Department Library United States. Department of the Interior. Library, 1967 Traffic World and Traffic Bulletin, 1975

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