

06-1322 FEDERAL EXPRESS CORP. V. HOLOWECKI

DECISION BELOW: 440 F3d 558

LOWER COURT CASE NUMBER: 04-3376

QUESTION PRESENTED:

Whether the Second Circuit erred in concluding, contrary to the law of several other circuits and implicating an issue this Court has examined but not yet decided, that an "intake questionnaire" submitted to the Equal Employment Opportunity Commission ("EEOC") may suffice for the charge of discrimination that must be submitted pursuant to the Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq. ("ADEA"), even in the absence of evidence that the EEOC treated the form as a charge or the employee submitting the questionnaire reasonably believed it constituted a charge.

CERT. GRANTED 6/4/2007