

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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BAHRI BEGOLLI,

Plaintiff,

v.

THE HOME DEPOT,

Defendant.

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ORDER

11-cv-380-bbc

Plaintiff Bahri Begolli is proceeding pro se on a claim that defendant The Home Depot violated his rights under Title VII of the Civil Rights Act by refusing to hire him because of his national origin. An evidentiary hearing is scheduled for March 9, 2012, at which the court will determine whether plaintiff's administrative complaints to the Equal Employment Opportunity Commission (EEOC) and Wisconsin Equal Rights Division were timely.

Plaintiff has filed a motion for clarification of the issue of timeliness. In his motion, plaintiff argues that the timeliness of his administrative complaints should not be an issue because defendant denies that it discriminated against plaintiff. Plaintiff argues that under the law, he was required to file an administrative grievance and exhaust his administrative remedies only if defendant admits that it discriminated against plaintiff.

Plaintiff's argument makes no sense. As I explained previously, before bringing a lawsuit under Title VII, plaintiff was required to file a charge of discrimination with the EEOC "within three hundred days after the alleged unlawful employment practice occurred." 42 U.S.C. § 2000e-5(e)(1). Plaintiff alleges that defendant discriminated against him by refusing to hire him. Thus, the "alleged unlawful employment practice" was defendant's refusal to hire plaintiff. Regardless whether defendant admits that its decision to reject plaintiff's application was discriminatory, plaintiff is subject to the requirements of Title VII. Because there are disputed facts regarding this issue, the court must hold an evidentiary hearing to resolve them. Plaintiff should be prepared to present evidence to the court on March 9 so that the court can determine when plaintiff knew that defendant had refused to hire him.

#### ORDER

IT IS ORDERED that the plaintiff Bahri Begolli's motion for clarification, dkt. #36, is DENIED.

Entered this 15th day of February, 2012.

BY THE COURT:  
/s/  
BARBARA B. CRABB  
District Judge