

**FILED**

February 21, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 05-10976  
Summary Calendar

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YOLANDA WILLIAMS,

Plaintiff-Appellant,

versus

CINTAS CORPORATION; EXPECT FIRST AID CORPORATION,  
A Division of Cintas Corporation,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:05-CV-668  
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Before KING, WIENER, and DeMOSS, Circuit Judges.

PER CURIAM:\*

In November 2000, Yolanda Williams ("Plaintiff") executed an employment agreement with Cintas Corporation and Expect First Aid Corporation ("Defendants") which contained a compulsory arbitration clause requiring all disputes regarding the employment to be submitted to binding arbitration. In March 2003, Plaintiff initiated her first lawsuit against Defendants asserting claims for racial discrimination and retaliation in violation of Title VII and 42 U.S.C. § 1981. Defendants moved to

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

compel arbitration and dismiss the lawsuit in April 2003, and in June 2003, the district court entered an order granting Defendants' motion to compel arbitration. The parties proceeded to arbitration under the supervision of the American Arbitration Association. In January 2005, the arbitrator issued his award denying all of Plaintiff's requested relief. In March 2005, the arbitrator denied Plaintiff's request for modification of the arbitrator's award. In April 2005, Plaintiff initiated her second lawsuit against Defendants, once again claiming discrimination and retaliation under Title VII and 42 U.S.C. § 1981. On motion of Defendants, the district court dismissed Plaintiff's second complaint for failure to state a claim upon which relief could be granted under Rule 12(b)(6). Plaintiff appealed to this Court.

We have carefully reviewed the briefs, the record excerpts, the reply brief and relevant portions of the record itself. For the reasons stated by the district court in its memorandum opinion and order filed July 15, 2005, we affirm the final judgment entered by the district court on July 25, 2005.

**AFFIRMED.**