

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

BRENDA TAITE,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	2:11cv739-MHT
	)	(WO)
STATE OF ALABAMA,	)	
DEPARTMENT OF PERSONNEL,	)	
et al.,	)	
	)	
Defendants.	)	

ORDER

After an independent and de novo review of the record,  
it is ORDERED as follows:

(1) The magistrate judge's recommendation (Doc. No. 32), to which no objection were filed, is adopted.

(2) Plaintiff Brenda Taite's state-law claims are dismissed.

(3) The motions to dismiss (Doc. Nos. 11 and 24) are denied to the following extent:

(a) Plaintiff Taite is allowed, within 15 days, to amend her complaint to assert Title VII discrimination and retaliation claims (alleging facts in support of her claims) against either

defendant Alabama Personnel Department or the other official-capacity defendants, but not against both.

(b) Plaintiff Taite's § 1981/1983 individual-capacity claim against defendant Alice Ann Byrne (for allegedly interfering with her employment relationship with Dartmouth College) still remains pending and is referred back to the magistrate judge for further proceedings.

(4) The motions to dismiss (Doc. Nos. 11 and 24) are granted to the following extent:

(a) Plaintiff Taite's Title VII claims against defendant Alabama Personnel Department and the official-capacity defendants are dismissed without prejudice.

(b) All of plaintiff Taite's remaining claims and requests for relief are dismissed with prejudice.

DONE, this the 23rd day of August, 2012.

          /s/ Myron H. Thompson            
UNITED STATES DISTRICT JUDGE