

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

TERRIS L. FRENCH, )  
 )  
 Plaintiff, ) CIVIL ACTION NO.  
 ) 2:16cv613-MHT  
 v. ) (WO)  
 )  
 UNITED PARCEL SERVICE, )  
 INC., )  
 )  
 Defendant. )

JUDGMENT

In accordance with the memorandum opinion entered today, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The United States Magistrate Judge's recommendation (doc. no. 16) is adopted.

(2) Defendant's motion to strike the amended complaint (doc. no. 13) is denied.

(3) Defendant's partial motion to dismiss (doc. no. 13) is granted; plaintiff's pattern-and-practice claim (Count Two) is dismissed with prejudice; and plaintiff's retaliation claim (Count Three) is

dismissed without prejudice.

(4) Defendant's partial motion to dismiss (doc. no. 6) the original complaint is denied as moot.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is not closed, and is referred back to the United States Magistrate Judge for further proceedings.

DONE, this the 23rd day of January, 2017.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE