

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

GLORIA GIDLEY,

Plaintiffs,

v.

1:12-cv-03967-KOB

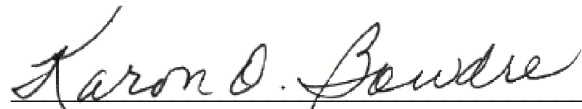
**KOCH FOODS OF GADSDEN,
LLC, et al.,**

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the court on Defendants Lisa Burdick and Susana Gutierrez's motion to dismiss counts five, six, and seven of Plaintiff Gloria Gidley's complaint. Ms. Burdick and Ms. Gutierrez argue for dismissal of the claims because they are not subject to individual liability under the Age Discrimination in Employment Act or the Americans with Disabilities Act. Because Ms. Gidley does not oppose the motion (doc. 16), the court **DISMISSES WIHOUT PREJUDICE** counts five, six, and seven of Ms. Gidley's complaint against Ms. Burdick and Ms. Gutierrez.

DONE and ORDERED this 17th day of January, 2013.



KARON OWEN BOWDRE
UNITED STATES DISTRICT JUDGE