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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Juliet M. De La Rosa, an individual,

Plaintiff,

vs.

Arizona State University; and the Arizona
Board of Regents,

Defendants.

No. CV-10-1803-PHX-DGC

ORDER

Plaintiff’s complaint asserts a violation of the American with Disabilities Act. Doc. 1. Defendants have moved to dismiss the complaint for failure to state a claim to relief. Doc. 20. Plaintiff concedes that her ADA claim fails as a matter of law, but seeks leave to amend to assert a claim under the Rehabilitation Act. Doc. 22. Defendants do not oppose the proposed amendment. Doc. 23.

IT IS THEREFORE ORDERED:

1. Defendants’ motion to dismiss (Doc. 20) is **granted**. The complaint (Doc. 1) is **dismissed** without prejudice.
2. Plaintiff’s motion for leave to file an amended complaint (Doc. 22) is **granted**. Plaintiff shall file the proposed amended complaint (Doc. 22-1) by **May 31, 2011**.

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3. Defendants shall answer or otherwise respond to the amended complaint within **14 days** after its service. *See* Fed. R. Civ. P. 15(a)(3).

Dated this 25th day of May, 2011.



David G. Campbell
United States District Judge