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28United States District Court
For the Northern District of CaliforniaIN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIAKAREN DEHONEY,
Plaintiff,
v.

No. C-08-4092 MMC

**ORDER DISMISSING CLAIMS AGAINST
INDIVIDUAL DEFENDANTS**KATHY KASER, et al.,
Defendants

Before the Court is plaintiff's complaint, filed August 27, 2008, in which she names four individuals and her former employer, Denny's Corporation, as defendants. In her complaint, plaintiff alleges said defendants constructively terminated plaintiff's employment, failed to promote plaintiff, and engaged in "violence," "harrasment" [sic], "sexual harrasment" [sic], and "retaliation." (See Compl. ¶¶ 4, 6.) Based on such allegations, plaintiff alleges a claim under Title VII of the Civil Rights Act of 1964 ("Title VII").

Where, as here, a party proceeds in forma pauperis, the district court must dismiss a complaint if the court determines that the plaintiff has failed to state a claim upon which relief can be granted. See 28 U.S.C. § 1915(e)(2)(B)(ii).

As noted, plaintiff seeks relief under Title VII. "Title VII does not provide a separate cause of action against supervisors or co-workers," including claims of harassment, see Craig v. M & O Agencies, Inc., 496 F. 3d 1047, 1058 (9th Cir. 2007), and claims for

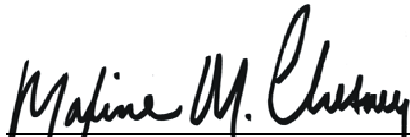
1 retaliation, see Miller v. Maxwell's Int'l Inc., 991 F. 2d 583, 584, 587-88 (1993). Rather, a
2 claim under Title VII can only be brought against an "employer." See Craig, 496 F. 3d at
3 1053-54.

4 Accordingly, plaintiff's Title VII claims against the individual defendants, specifically,
5 Kathy Kaser, Tiffany Bass, Albert Mohu, Betty (Patty) Foster, and Joseph Sadek are
6 hereby DISMISSED with prejudice, for failure to state a claim. See 28 U.S.C.
7 § 1915(e)(2)(B)(ii).

8 The instant action shall proceed against defendant Denny's Corporation only.

9 **IT IS SO ORDERED.**

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11 Dated: September 19, 2008


MAXINE M. CHESNEY
United States District Judge

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