

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger

Civil Action No. 09-cv-00715-MSK-MJW

A.B. a minor, through her parent and next friend, B.S., and
B.S., individually,

Plaintiffs,

v.

ADAMS-ARAPAHOE 28J SCHOOL DISTRICT;
AURORA PUBLIC SCHOOLS BOARD OF EDUCATION;
JOHN L. BARRY, Superintendent, in his individual and official capacity;
LAURA MUNRO, Director, Exceptional Student Services, in her individual and official
capacity;
BARBARA RICE, Elementary/Preschool Consultant in her individual and official capacity;
JEAN BURKE, Principal, in her individual and official capacity;
VICKI MICHAELS, Special Education Teacher, in her individual and official capacity;
JANE DOES #1 AND #2, Paraprofessionals, in their individual and official capacities,

Defendants.

ORDER

THE COURT, after having considered Plaintiffs’ Unopposed Motion to Dismiss Claims and Defendant (**#125**), and for good cause shown, the Court hereby **GRANTS** Plaintiffs’ Motion and dismisses the following claims:

1. Against Defendant Adams-Arapahoe 28J School District: Plaintiffs’ Twentieth Claim for Relief: Respondeat Superior;
2. Against Defendant Aurora Public Schools Board of Education: all claims;
3. Against Defendant John L. Barry: Plaintiffs’ Sixth Claim for Relief: Violations of 504; Plaintiffs’ Seventh Claim for Relief: Violations of Title II of the ADA; Plaintiffs’ Fourteenth Claim for Relief: Assault; Plaintiffs’ Fifteenth Claim for Relief: Battery; Plaintiffs’ Sixteenth Claim for Relief: False Imprisonment; and Plaintiff’s Eighteenth Claim for Relief:

Invasion of Privacy;

4. Against Defendant Laura Munro: Plaintiffs' Sixth Claim for Relief: Violations of 504; Plaintiffs' Seventh Claim for Relief: Violations of Title II of the ADA; Plaintiffs' Fourteenth Claim for Relief: Assault; Plaintiffs' Fifteenth Claim for Relief: Battery; Plaintiffs' Sixteenth Claim for Relief: False Imprisonment; and Plaintiff's Eighteenth Claim for Relief: Invasion of Privacy;

5. Against Defendant Barbara Rice: Plaintiffs' Sixth Claim for Relief: Violations of Section 504 and Plaintiffs' Seventh Claim for Relief: Violations of Title II of the ADA;

6. Against Defendant Jean Burke: Plaintiffs' Sixth Claim for Relief: Violations of 504; Plaintiffs' Seventh Claim for Relief: Violations of Title II of the ADA; Plaintiffs' Fourteenth Claim for Relief: Assault; Plaintiffs' Fifteenth Claim for Relief: Battery; Plaintiffs' Sixteenth Claim for Relief: False Imprisonment; and Plaintiff's Eighteenth Claim for Relief: Invasion of Privacy;

7. Against Defendant Donna Trowbridge: Plaintiffs' Sixth Claim for Relief: Violations of Section 504 and Plaintiffs' Seventh Claim for Relief: Violations of Title II of the ADA;

8. Against Defendant Odessa Hubbard: Plaintiffs' Sixth Claim for Relief: Violations of Section 504 and Plaintiffs' Seventh Claim for Relief: Violations of Title II of the ADA.

DATED this 24th day of November, 2010.

BY THE COURT:

A handwritten signature in black ink that reads "Marcia S. Krieger". The signature is written in a cursive style with a dot over the 'i' in "Krieger".

Marcia S. Krieger
United States District Judge