

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Wiley Y. Daniel

Civil Action No. 13-cv-01397-WYD-CBS

CHRISTINE ORTEGA,

Plaintiff,

v.

SOUTHERN COLORADO CLINIC, P.C.,

Defendant.

MINUTE ORDER

ORDER ENTERED BY SENIOR JUDGE WILEY Y. DANIEL

The Unopposed Motion to Dismiss Claim Three of Plaintiff's Complaint (ECF No. 14) is **GRANTED**. Plaintiff's Third Claim for Relief (Failure to provide notice of the Family Medical Leave Act ("FMLA")) and Plaintiff's claim for Exemplary Damages (within her Second Claim for Relief - Intentional Infliction of Emotional Distress) are **DISMISSED WITHOUT PREJUDICE**. Accordingly, Defendant's Partial Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) (ECF No. 10) is **DENIED AS MOOT**.

Dated: August 9, 2013