

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

Civil Action No. 14-cv-02815-RPM

CARLA ARCHULETA,

Plaintiff,

v.

NORTH CONEJOS SCHOOL DISTRICT,

Defendant

ORDER DENYING MOTION TO DISMISS

On January 26, 2015, defendant filed a motion to dismiss amended complaint, challenging the sufficiency of the factual allegations of the amended complaint and relying, in part, on an investigative report referred to in the amended complaint. The motion is therefore considered under Fed. R. Civ. P. 12(b)(6), seeking dismissal for insufficient pleadings. The plaintiff filed their response on March 4, 2015. While there may be a basis for dismissal of some of the plaintiff's claims for relief such as the age discrimination claim and there may some redundancy in the claims, this case should not be dismissed on the basis of the insufficiency of the amended complaint. This civil action has been pending since October 15, 2014 because of the "Pilot Project" in this District. It should now move forward promptly without waiting for any reply from the defendant. It is now

ORDERED the defendant's Motion to Dismiss under Fed. R. Civ. P. 12(b)(6) is denied.

DATED: March 5, 2015

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge