

2. Likewise, Coach Sparks lacks judicially recognized standing to maintain her Title IX based claims. First, it is clear that Coach Sparks' sole discrimination claim arises from the alleged violation of the rights of her students. Riding the coattails of her students' potential claims is legally insufficient, as a matter of law, to maintain her own Title IX claim. Moreover, to the extent Coach Sparks is asserting that her contract is not being renewed, and her position as coach is being eliminated based upon the gender *of her students*, such a claim is actually a claim of employment discrimination preempted by Title VII.

In further support thereof, Defendant incorporates by reference its accompanying Memorandum of Law in Support of its Motion to Dismiss Complaint By Plaintiffs Overdevest and Sparks.

WHEREFORE, Defendant respectfully requests that this Court grant its Motion to Dismiss Complaint By Plaintiffs Overdevest and Sparks.

REQUEST FOR HEARING

Defendant hereby requests a hearing on its Motion To Dismiss.

WIGGIN AND DANA LLP

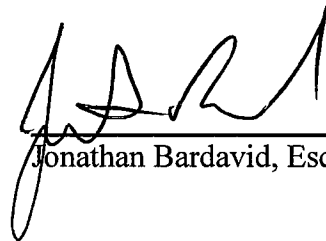
By: 

Mary Gambardella, Esq.
mgambardella@wigin.com
Federal Bar No. ct05386
Jonathan Bardavid, Esq.
jbardavid@wigin.com
Federal Bar No. ct27763
400 Atlantic Street
Stamford, CT 06911-0325
Phone: (203) 363-7662
Fax: (203) 262-7676
Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2009 the foregoing Defendant's Motion to Dismiss the Complaint By Plaintiffs Overdevest and Sparks was filed electronically, and notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing, and specifically to the following counsel of record:

Jonathan Orleans, Esq.
Pullman & Comley, LLC
850 Main Street
P.O. Box 7006
Bridgeport, CT 06601
203-330-2000
Counsel for Plaintiff



Jonathan Bardavid, Esq.