

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CINDY GREGORY,)
))
Plaintiff,)
))
v.)
))
UNIVERSITY OF DELAWARE, *et al.*)
))
Defendants.)
))

C.A. No. 1:17-cv-01157-RGA

MEMORANDUM

Plaintiff filed this action against Defendants claiming violations of the Due Process Clause of the Fourteenth Amendment (Counts I and II), the Age Discrimination in Employment Act (“ADEA”) pursuant to 29 U.S.C. § 623 (Count III), the Delaware Discrimination in Employment Act pursuant to 19 *Del. C.* § 711(a) (Counts III, IV, and V), and the Equal Protection Clause of the Fourteenth Amendment (Count VI). (D.I. 1 at ¶ 1). Presently before the Court is Defendant’s Motion to Dismiss all counts of Plaintiff’s Complaint pursuant to Fed. R. Civ. P. 12(b)(6). (D.I. 6). The issues have been fully briefed. (D.I. 7, 9, 11). The Complaint, briefing, and arguments in this case are essentially identical to those in *Kenny v. Univ. of Del.*, C.A. No. 1:17-cv-01157-RGA. Thus, for the reasons stated in that case, I reach the same conclusion here. Defendants’ Motion is GRANTED as to Counts I and II and DENIED as to Counts III, IV, V, and VI. It does not appear that Plaintiff could amend her Complaint to state the claims she has asserted in Counts I and II. Thus, leave to amend is not granted. An appropriate order will be entered.