

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

KELLY L. MORAN KALAMAS,

Plaintiff,

v.

CASE NO. 8:16-cv-563-T-26JSS

PENNY PRITZKER, Secretary,  
U.S. Department of Commerce,

Defendant.

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**ORDER**

In light of the Plaintiff's Response to Defendant's Motion to Dismiss Count III of Complaint (Dkt. 26), it is **ORDERED AND ADJUDGED** that the Defendant's Motion to Dismiss Count III (Dkt. 18) is granted. Count III of Plaintiff's complaint is dismissed without prejudice to the Plaintiff filing an amended complaint within **fourteen (14) days** of this order. The Defendant shall file her response to the amended complaint within **fourteen (14) days** of service.

**DONE AND ORDERED** at Tampa, Florida, on April 22, 2016.

s/Richard A. Lazzara

**RICHARD A. LAZZARA**  
**UNITED STATES DISTRICT JUDGE**

**COPIES FURNISHED TO:**  
Counsel of Record