

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

**DR. AWANNA LESLIE and
BETTYE RICHARDSON,**

Plaintiffs,

v.

**HANCOCK COUNTY BOARD OF
EDUCATION, GWENDOLYN REEVES,
et al.,**

Defendants.

CIVIL ACTION NO. 5:11-CV-497(MTT)

ORDER

This matter is before the Court on the Plaintiffs' Motion for Leave to Amend (Doc. 13) and the Parties' Consent Motion to Stay the Proceedings Pending Resolution of Matter on Appeal (Doc. 17). For the following reasons, both Motions are **GRANTED**.

Prior to the Parties moving to stay the proceedings, the Plaintiffs move to amend their complaint and substitute Hancock County School District for Defendant Hancock County Board of Education. The Defendants did not respond to the Plaintiffs' motion. However, both parties agree that the Hancock County School District, not the Hancock County Board of Education is the proper defendant.¹ Although the Court's Order on the Defendants' Motion to Dismiss is pending appeal, whether the Hancock County School Board is the proper entity is not the issue. The Defendants have requested the Eleventh Circuit "assume pendant party appellate jurisdiction" of whether the entity can

¹ In fact, in the Motion to Stay, the Defendants' refer to the entity-defendant as the Hancock County School District, rather than the Hancock County Board of Education. (Doc. 17).

be held liable; however, the merits of the pending appeal are with regard to the individual Defendants' liability. Accordingly, the Court **GRANTS** the Plaintiffs' Motion for Leave to Amend, and the Hancock County School District is substituted for the Hancock County Board of Education as the proper party.

Further, the Consent Motion to Stay the Proceedings is **GRANTED**.

SO ORDERED, this the 10th day of August, 2012.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT