

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

MARNIESHEIA PERRYMOND,

Plaintiff,

v.

LOCKHEED MARTIN
CORPORATION
doing business as
Lockheed Martin Aeronautics Co., et
al.,

Defendants.

CIVIL ACTION FILE
NO. 1:09-CV-1936-TWT

ORDER

This is an employment discrimination action. It is before the Court on the Report and Recommendation [Doc. 55] of the Magistrate Judge recommending granting in part and denying in part the Defendant Global Contract Professionals' Motion to Dismiss [Doc. 26], granting in part and denying in part the Defendant Lockheed Martin's Motion for Partial Judgment on the Pleadings [Doc. 31] and granting the Joint Motion to Dismiss State Law Claims [Doc. 41]. The Court declines to adopt that portion of the Report and Recommendation granting the Defendant Global Contract Professionals' Motion to Dismiss as to the claim for willful FMLA retaliation. Rule 9 allows state of mind to be alleged generally and the Plaintiff has

done that. Otherwise, the Court approves and adopts the Report and Recommendation [Doc. 55] as the judgment of the Court. The Defendant Global Contract Professionals' Motion to Dismiss [Doc. 26] is granted in part and denied in part. The Defendant Lockheed Martin's Motion for Partial Judgment on the Pleadings [Doc. 31] is granted in part and denied in Part. The Joint Motion to Dismiss State Law Claims [Doc. 41] is granted.

SO ORDERED, this 9 day of March, 2010.

/s/Thomas W. Thrash
THOMAS W. THRASH, JR.
United States District Judge