

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

PATRICIA ANN WADE,)	
)	
Plaintiff,)	
)	
v.)	No. 1:16-cv-02256-TWP-MJD
)	
INDIANA UNIVERSITY SCHOOL OF)	
MEDICINE, SHERYL ALLEN,)	
and ABBY KLEMSZ,)	
)	
Defendants.)	

**ENTRY ON DEFENDANTS’ REQUEST FOR LEAVE TO FILE A SUR-REPLY IN
SUPPORT OF DEFENDANTS’ MOTION FOR SUMMARY JUDGMENT, AND
PLAINTIFF’S MOTION FOR PRETRIAL PURGING OF HER IUSM EMPLOYEE FILE**

This matter is before the Court on Defendants’ The Trustees of Indiana University (“University”), Dr. Sheryl Allen, and Dr. Abigail Klemsz (collectively, “Defendants”) request for leave to filed a sur-reply in support of their Motion for Summary Judgment [Dkt. 68]. (Dkt. 100). Also pending is a Motion for Pretrial Purging of Her IUSM Employee File ([Dkt. 104](#)), filed by Plaintiff Patricia Ann Wade (“Ms. Wade”). The Court addresses each motion in turn.

I. DISCUSSION

Regarding their Motion for leave to file a sur-reply, the Defendants assert that “Plaintiff has submitted a new affidavit and fourteen additional exhibits, Defendants feel compelled to address the issues presented by these new exhibits and new argument.” Having reviewed the Defendants’ proposed sur-reply, the Court finds it is appropriate and **grants** Defendants request for leave. ([Filing No. 100.](#)) The Sur-reply at [Filing No. 100-1](#) will be considered by the Court when ruling on the pending cross motions for summary judgment.

In her Motion, Ms. Wade asks the Court to order the Defendants to remove certain documents from her Indiana University School of Medicine employee file and modify the reason

for her termination in her employee file. This request is one component of the relief that Ms. Wade has made in her Complaint, and entitlement to this relief is the subject of the parties' pending cross-motions for summary judgment. Therefore, the Court **denies** the Plaintiff's Motion for Pretrial Purging of Her IUSM Employee File ([Filing No. 104](#)). This request will be resolved in the Court's forthcoming order on the cross-motions for summary judgment.

II. CONCLUSION

For the reasons stated above, Defendants' Request For Leave To File A Sur-Reply in Support of Defendants' Motion for Summary Judgment ([Filing No. 100](#)) is **GRANTED**. Plaintiff's Motion for Pretrial Purging of her IUSM Employee File is **DENIED**.

SO ORDERED.

Date: 6/12/2019



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

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