

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES EX REL.
SHARON ELLZEY

CIVIL ACTION

VERSUS

NO. 10-900

CATHOLIC CHARITIES
ARCHDIOCESE OF NEW ORLEANS

SECTION "N" (3)

ORDER AND REASONS

Having considered Plaintiff's opposition memorandum (Rec. Doc. 14) as to Defendant's motions to dismiss (Rec. Doc. 12), **IT IS ORDERED** that, on the showing made, Defendant's motion to dismiss is **GRANTED** to the extent that it seeks dismissal for lack of subject matter jurisdiction of Plaintiff's claim for damages pursuant to the *qui tam* provisions of False Claims Act, 31 U.S.C. §§3729-3732. **IT IS FURTHER ORDERED** that Defendant's motion to dismiss is **GRANTED** as to Plaintiff's retaliatory discharge claim; however, that dismissal is **WITHOUT PREJUDICE** to Plaintiff's right to amend the claim within fifteen (15) days from entry of this Order so as to state a claim upon which relief can be granted. Any amendment must be filed as an amending and superseding complaint.

New Orleans, Louisiana, this 11th day of May 2012.



KURT D. ENGELHARDT
United States District Judge