# UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

### DAMITA FULGHEN,

#### Plaintiff,

v.

Case No. 09-13895

UNITED STATES POSTMASTER GENERAL JOHN E. POTTER, Honorable Patrick J. Duggan

Defendant.

# **OPINION AND ORDER**

At a session of said Court, held in the U.S. District Courthouse, Eastern District of Michigan, on July 7, 2010.

PRESENT: THE HONORABLE PATRICK J. DUGGAN U.S. DISTRICT COURT JUDGE

On October 2, 2009, Damita Fulghen ("Plaintiff") filed this action against United

States Postmaster General John E. Potter ("Defendant"), alleging employment

discrimination on the basis of religion in violation of Title VII, 42 U.S.C. §§ 2000e et

seq., and Michigan's Elliot-Larsen Civil Rights Act, Mich. Comp. Laws Ann §§ 37.2101

et seq. Specifically, the Complaint alleges that Defendant engaged in discrimination by

having armed forces remove Plaintiff from her workplace.

On June 10, 2010, Plaintiff filed a motion to amend her Complaint. Plaintiff seeks to clarify her Complaint so that it states a claim that Defendant's discrimination resulted

in emotional distress and a hostile work environment. Defendant failed to respond to the motion. Rule 15(a)(2) of the Federal Rules of Civil Procedure provides that "the court should freely give leave when justice so requires." The Court is unaware of any reason to deny Plaintiff's motion. Therefore, having received no opposition, the Court grants the motion.

Accordingly,

### IT IS ORDERED that Plaintiff's Motion to Amend is GRANTED.

### <u>s/PATRICK J. DUGGAN</u> UNITED STATES DISTRICT JUDGE

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