

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHELE ALLEN,

Plaintiff,

vs.

Case No. 14-10694

DETROIT WATER & SEWAGE
DEPARTMENT,

HON. AVERN COHN

Defendant.

**ORDER CONSTRUING DEFENDANT'S "STATEMENT OF DEFENDANT, DETROIT
WATER AND SEWERAGE DEPARTMENT IN ADVANCE OF STATUS
CONFERENCE" (Doc. 13) AS A MOTION TO DISMISS
AND
DIRECTING PLAINTIFF TO FILE A RESPONSE TO THE MOTION WITHIN TWENTY
(20) DAYS**

This is an employment discrimination case under Title VII. Plaintiff, proceeding pro se, claims that she was discriminated against on the basis of her disability while employed by defendant, the City of Detroit, Water and Sewerage Department between July 2011 and October 2012.

At the time plaintiff filed her complaint on February 13, 2014, the City of Detroit had filed a voluntary petition under Chapter 9 of the Bankruptcy Code. On March 3, 2014, defendant filed a Notice of Suggestion of Pendency of Bankruptcy because of the City's Bankruptcy. (Doc.8). On March 4, 2014, the Court entered an order staying and administratively closing the case due to the City's pending bankruptcy petition. (Doc. 9).

The City's bankruptcy case has concluded. A status conference was scheduled for January 22, 2015. (Doc. 11). It has been cancelled.

On January 12, 2015, defendant filed the instant Statement of Defendant, Detroit Water and Sewerage Department, in Advance of Status Conference. (Doc. 13). In it, defendant asks that the Court dismiss the case because it was filed in violation of the automatic stay and any claim plaintiff may have had was discharged in bankruptcy. The Court construes the filing as a motion to dismiss.

Accordingly, plaintiff shall file a response to the motion within twenty (20) days or on or before February 9, 2015.

SO ORDERED.

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: January 20, 2015
Detroit, MI

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, January 20, 2015, by electronic and/or ordinary mail.

S/Sakne Chami
Case Manager, (313) 234-5160