

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RHONDA MCGOWAN, ET AL.,

Plaintiffs,

No. 16-13216

v.

District Judge Terrence G. Berg
Magistrate Judge R. Steven Whalen

KROGER DISTRICT I,

Defendant.

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ORDER

For the reasons and under the terms stated on the record on August 29, 2017, Plaintiffs' motion to file amended complaint as an exhibit [Doc. #46] is GRANTED, Plaintiffs' motion to amend complaint [Doc. #38] is GRANTED IN PART AND DENIED IN PART, and Defendant's motion to strike Plaintiffs' first amended complaint [Doc. #43] is GRANTED IN PART AND DENIED IN PART.

As to Plaintiffs' proposed Count II (Hostile Work Environment) and Count V (Intentional Infliction of Emotional Distress), the Plaintiffs' motion to amend [Doc. #38] is DENIED and the Defendant's motion to strike [Doc. #43] is GRANTED.

As to Plaintiffs' proposed Count I (Sexual Harassment), Count III (Retaliation/Discrimination), and Count IV (misabeled Count VI)(Wrongful Discharge), the Plaintiffs' motion to amend [Doc. #38] is GRANTED and the Defendant's motion to strike [Doc. #43] is DENIED.

Within 14 days of the date of this Order, Plaintiffs must file a First Amended Complaint consistent with this Order and with the Court's instructions placed on the record on August 29, 2017.

IT IS SO ORDERED.

Dated: August 29, 2017

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify on August 29, 2017 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to non-registered ECF participants August 29, 2017.

s/Carolyn M. Ciesla
Case Manager for the
Honorable R. Steven Whalen