

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff's motion for reconsideration (Doc. No. 33) of the Court's Order granting Defendant's partial motion to dismiss (Doc. No. 26). The Court's Order dismissed Plaintiff's claims to the extent they allege discrimination or retaliation described in EEOC Charge No. 560-2014-01084, dated May 22, 2014, or EEOC Charge No. 560-2014-0143, dated September 15, 2014, as Plaintiff did not bring a lawsuit within 90 days of the issuance of right-to-sue letters on those charges. Thus, Plaintiff's only surviving claims are those predicated on events first alleged in EEOC Charge No. 560-2015-00453, dated December 11, 2014.

Plaintiff “does not contend that the Court’s Order was incorrect” on the substantive legal matters raised. (Doc. No. 34 at 2.) However, Plaintiff suggests that, if pled with the assistance of recently-appointed counsel, Plaintiff’s claims might have been alternatively set forth in such a way as to survive Defendant’s partial motion for

dismissal. For example, Plaintiff contends that her claims could have been asserted under the Missouri Human Rights Act, or that she could have pled causes of action for hostile work environment or intentional infliction of emotional distress.

The Court will deny Plaintiff's motion for reconsideration. However, the Court will extend the deadline for amendment of pleadings set forth in its case management order. To the extent Plaintiff believes she can assert additional claims that are not precluded by the Court's Order on Defendant's partial motion to dismiss, Plaintiff should move for leave to file an amended complaint before the newly-extended deadline. Plaintiff should attach the proposed amended pleading to any such motion. The Court will then determine, as appropriate, whether any proposed additional claims can be maintained in light of the Court's Order.

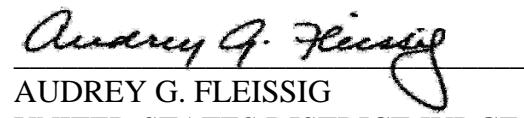
## **CONCLUSION**

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion for Reconsideration (Doc. No. 33) is **DENIED**.

**IT IS FURTHER ORDERED** that the deadline for joinder of additional parties or amendment of pleadings shall be extended, as set forth in the amended case management order entered this day.

Dated this 21st day of June, 2016.

  
AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE