

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MALEEHA AHMAD, et al.,)
)
Plaintiffs,)
)
vs.)
)
CITY OF ST. LOUIS, MISSOURI,)
)
Defendant.)

Case No. 4:17 CV 2455 CDP

MEMORANDUM AND ORDER


Plaintiff Brian Baude moves to voluntarily dismiss his claims in this action so that he may pursue a separate lawsuit seeking damages against defendant arising out of the same events. Defendant objects, complaining that it will be prejudiced if Baude is allowed to pursue a claim for damages against it now. After due consideration of the procedural history of this case, I will grant Baude’s motion for dismissal. Being subjected to a claim for damages is not the sort of undue prejudice that should persuade the Court to deny the motion for voluntary dismissal, particularly as discovery has only just begun in this case due to the parties’ settlement efforts. Given that Pamela Lewczuk is already a putative plaintiff in this case, I will also grant the motion to add her as a named plaintiff. I encourage the parties to continue their settlement efforts in this case.

Accordingly,

IT IS HEREBY ORDERED that the motion to dismiss the claims of Brian Baude without prejudice [91] is granted.

IT IS FURTHER ORDERED that the motion to add party [92] is granted, and Pamela Lewczuk is added to the second amended complaint and the docket sheet as a named plaintiff in this case.

IT IS FURTHER ORDERED that defendant is reminded that its Answer to the Second Amended Complaint was due some time ago and has not been filed.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 10th day of October, 2018.