

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 LINDA BAAS,

5 Plaintiff,

6 v.

7 STATE OF NEVADA DIVISION OF
8 WELFARE AND SUPPORTIVE SERVICES
9 OF THE DEPARTMENT OF HEALTH AND
HUMAN SERVICES,

10 Defendant.

Case No. 2:16-cv-01821-APG-GWF

**ORDER GRANTING MOTION TO
DISMISS**

(ECF No. 9)

11
12 Plaintiff Linda Baas filed suit under the Americans with Disabilities Act for disability
13 discrimination and retaliation against defendant State of Nevada, Division of Welfare and
14 Supportive Services of the Department of Health and Human Services. ECF No. 1. The
15 defendant moves to dismiss on the basis of Eleventh Amendment immunity. ECF No. 9. In
16 response, Baas concedes her claims are barred. ECF No. 26. However, she requests leave to
17 amend. *Id.*

18 IT IS THEREFORE ORDERED that defendant State of Nevada, Division of Welfare and
19 Supportive Services of the Department of Health and Human Services' motion to dismiss (**ECF**
20 **No. 9) is GRANTED.**

21 IT IS FURTHER ORDERED that plaintiff Linda Baas shall file an amended complaint on
22 or before March 8, 2017 if sufficient facts exist to allow her to properly assert claims. Failure to
23 file an amended complaint by that date will result in dismissal without prejudice.

24 DATED this 1st day of February, 2017.

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26 
27 ANDREW P. GORDON
28 UNITED STATES DISTRICT JUDGE