

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

SIOBHAN JONES,

Plaintiff,

v.

UNITED STATES FOOD AND DRUG
ADMINISTRATION, et al.,

Defendants.

Civil Action No. 16-1286 (MAS) (DEA)

MEMORANDUM ORDER

This matter comes before the Court upon correspondence from Defendants Princeton HealthCare System, Rutgers University Behavioral Health Care, Robert Wood Johnson University Hospital, Joseph Chong, M.D., Saint Peter's University Hospital, Capital Health System Inc., and GlaxoSmithKlein (ECF Nos. 156, 157, 158, 159, 160, 162, 163) (collectively "Defendants"). Defendants request that the Court dismiss the Complaint of Plaintiff Siobhan Jones ("Plaintiff"), with prejudice, pursuant to the Court's Order dated July 18, 2017 (ECF No. 155).

On July 18, 2017, the Court granted Defendants' Motions to Dismiss Plaintiff's Complaint without prejudice for lack of subject matter jurisdiction. (July 18, 2017 Order, ECF No. 155.) The Court ordered that:


[t]o the extent Plaintiff seeks to amend her pleading with claims over which the Court can exercise subject matter jurisdiction, Plaintiff may file an Amended Complaint by August 17, 2017. If Plaintiff fails to file an Amended Complaint by this deadline, the Court will dismiss Plaintiff's Complaint with prejudice. The Court notes, however, that this Order does not preclude Plaintiff from filing her claims in the appropriate state court within the deadlines and in compliance with the rules set forth by the appropriate state court.

(*Id.* at 3.) On August 17, 2017, Plaintiff mailed an "Initial Notice of Claim for Damages Against the State of New Jersey" with a copy of the Complaint previously filed in this matter to the Court

for filing. (See ECF No. 161.) The Initial Notice of Claim form contains information for filing the document with the Tort and Contract Unit of the New Jersey Department of the Treasury, Bureau of Risk Management. (See ECF No. 161 at 2.) It is unclear to the Court whether this is a submission that Plaintiff intended to file in this Court in response to the July 18, 2017 Order. To the extent that this submission was intended as an Amended Complaint, it is insufficient and does not meet the requirements outlined in the Court's Order. Nevertheless, the Court will provide Plaintiff with one final opportunity to submit an Amended Complaint that complies with the Federal and Local Rules. Accordingly, based on the Court's inherent power to control the matters on its docket, and for good cause shown:

IT IS on this ¹⁹12 day of September 2017, **ORDERED** that:

1. To the extent Plaintiff seeks to amend her pleading with claims over which the Court can exercise subject matter jurisdiction, Plaintiff may file an Amended Complaint by **September 29, 2017**.
2. If Plaintiff does not file an appropriate Amended Complaint by **September 29, 2017**, the Court will dismiss Plaintiff's Complaint with prejudice.



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE