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U.S. DISTRICT COURT E.D.N.Y.

★ MAR 17 2014 ★

BROOKLYN OFFICE

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JAMES ARMAND,

Plaintiff,

**MEMORANDUM & ORDER**

-against-

**11-CV-4182 (NGG) (CLP)**

JENNIFER OSBORNE,

Defendant.

-----X

NICHOLAS G. GARAUFIS, United States District Judge.

On February 24, 2014, the court issued a Memorandum and Order in this case denying Defendant's Motion to Dismiss (Dkt. 40) and granting in part pro se Plaintiff's Motion to Amend the Complaint (Dkt. 32) to the extent he sought to add a claim for harassment against Sergeant George Dougan ("Sgt. Dougan") and increase the punitive damage request. (Feb. 24, 2014, Order (Dkt. 28).) The court further ordered that Plaintiff's Complaint shall be deemed to be amended to reflect the additional factual allegations set out in the Plaintiff's opposition to Defendant's Motion to Dismiss (Dkt. 47), the harassment claim against Sgt. Dougan, and the increased punitive damages request. Defendant was ordered to respond to the newly amended Complaint, with regard to the claim against Sergeant Dougan only, within twenty (20) days of entry of the Memorandum and Order.

Since Sgt. Dougan has not yet been served, the United States Marshals Service is hereby directed to serve a Summons and the Complaint (Dkt. 1), along with the court's February 24, 2014, Memorandum and Order (Dkt. 58) and Plaintiff's opposition to the motion to dismiss (Dkt. 47), on Sgt. Dougan at the following address:

Sergeant George Dougan  
Taconic Correctional Facility  
250 Harris Road  
Bedford Hills, NY 10507-2497

Pursuant to the court's March 12, 2014, Order granting Defendant's Motion for Extension of Time to File Answer (Dkt. 64), Sgt. Dougan or the Office of the Attorney General on his behalf shall respond to the newly amended Complaint by answer or motion no later than twenty-one (21) days after service on Sgt. Dougan.

SO ORDERED.

/S/ Judge Nicholas G. Garaufis

Dated: Brooklyn, New York  
March 17, 2014

NICHOLAS G. GARAUFIS  
United States District Judge