

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MIHAI ILINCA,

Plaintiff,

-against-

MEMORANDUM & ORDER
13-CV-3500 (JS) (AKT)

BOARD OF COOPERATIVE EDUCATIONAL
SERVICES, NASSAU; and LOUISE
FLYNN,

Defendants.

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APPEARANCES

For Plaintiff: Scott Thomas Roesch, Esq.
Roesch Law, P.C.
611 Newbridge Road
East Meadow, NY 11554

For Defendants: Lewis R. Silverman, Esq.
Samantha Velez, Esq.
Rutherford & Christie, LLP
369 Lexington Avenue
New York, NY 10017

SEYBERT, District Judge:

Plaintiff Mihai Ilinca ("Plaintiff") brings this action against defendants the Board of Cooperative Educational Services, Nassau and Louise Flynn ("Flynn") alleging employment discrimination in violation of Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. § 2000e et seq. Flynn moves to dismiss the Amended Complaint as against her on the ground that individuals may not be held liable under Title VII. Plaintiff does not oppose the motion. (See Docket Entry 22.) Flynn is correct. It is well settled that "individuals are not subject to

liability under Title VII.” Patterson v. Cnty. of Oneida, 375 F.3d 206, 221 (2d Cir. 2004) (internal quotation marks and citation omitted). Accordingly, the Title VII claim against Flynn must be dismissed as a matter of law.

CONCLUSION

For the foregoing reasons, Flynn’s motion to dismiss is GRANTED. The Clerk of the Court is directed to TERMINATE Flynn as a party to this action.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: June 4, 2014
Central Islip, NY