

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANDREA PETTERSON,

Plaintiff,

-against-

ORDER ADOPTING R&R
15-CV-1228

STATE UNIVERSITY OF NEW YORK
AT STONY BROOK,

Defendant.

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HURLEY, Senior District Judge:

Presently before the Court is the Report and Recommendation, dated October 10, 2017, of Magistrate Judge Arlene R. Lindsay recommending that plaintiff’s motion for leave to amend the complaint to add a cause of action under 42 U.S.C. § 1983 for discrimination and retaliation based on gender/sex be denied in part. The time to file objections has expired with no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. The Court adopts the October 10, 2017 Report and Recommendation of Judge Lindsay as if set forth herein. Accordingly,

IT IS HEREBY ORDERED that the plaintiff’s motion to amend the complaint is denied insofar as it seeks to add the third cause of action pursuant to 42 U.S.C. § 1983 and granted to

the extent that plaintiff is permitted to amend the complaint to add paragraphs 9, 91, and 94.

Plaintiff shall file a third amended complaint in accordance herewith on or before November 29, 2017.

Dated: Central Islip, N.Y.
November 15, 2017

/s/ Denis R. Hurley
Denis R. Hurley
United States District Judge