

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

KELLI A. STEIN,

Plaintiff,

v.

**3:12-CV-1510
(FJS/DEP)**

JOHNSON CITY SCHOOL DISTRICT,

Defendant.

APPEARANCES

OF COUNSEL

OFFICE OF DOUGLAS W. DRAZEN

2-8 Hawley Street, Suite 111
Binghamton, New York 13901
Attorneys for Plaintiff

DOUGLAS W. DRAZEN, ESQ.

THE LAW FIRM OF FRANK W. MILLER

6575 Kirkville Road
East Syracuse, New York 13057
Attorneys for Defendant

**FRANK W. MILLER, ESQ.
J. RYAN HATCH, ESQ.**

SCULLIN, Senior Judge

ORDER

On September 27, 2013, the Court heard oral argument in support of, and in opposition to, Defendant's motion to dismiss. At the conclusion of the argument, the Court ordered Plaintiff's counsel to show cause why the Court should not sanction him. In response to that order, Plaintiff's counsel filed an affidavit. *See* Dkt. No. 21. After reviewing that affidavit, the Court has decided not to sanction Plaintiff's counsel. However, the Court reprimands Plaintiff's counsel for his failure properly to evaluate the legal bases for the claims he advanced before the Court and advises Plaintiff's counsel that it will not countenance such conduct in the future.

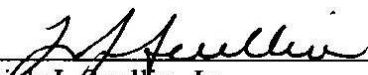
Accordingly, the Court hereby

ORDERS that sanctions shall not be imposed on Plaintiff's counsel in this matter; and the Court further

ORDERS that, for the reasons set forth in the Court's October 7, 2013 Memorandum-Decision and Order, the Clerk of the Court shall enter judgment in favor of Defendant and close this case.

IT IS SO ORDERED.

Dated: October 17, 2013
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge