

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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SYLVIA PEREZ,

Plaintiff,

-v-

6:16-CV-795

RUBY TUESDAY, INC.; ROBERTA BRIGGS,  
General Manager; and GARY COLE, Manager,

Defendants.

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APPEARANCES:

SYLVIA PEREZ  
Plaintiff pro se  
Last Known Address  
229 Grand Street  
Amsterdam, NY 12010

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Pro se plaintiff Sylvia Perez brought this civil rights action alleging employment discrimination. On July 14, 2016, the Honorable Therese Wiley Dancks, United States Magistrate Judge, advised by Report-Recommendation that plaintiff's Title VII claim be dismissed with prejudice as against defendants Briggs and Cole, and that the action otherwise be allowed to proceed against defendants Ruby Tuesday Inc., Cole, and Briggs. Plaintiff submitted timely objections to the Report-Recommendation.

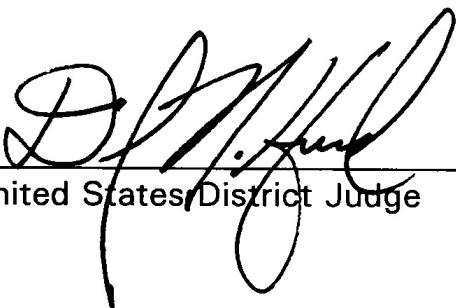
Based upon a de novo review of the portions of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. Plaintiff's Title VII claim is DISMISSED with prejudice as against defendants Roberta Briggs and Gary Cole; and
2. Plaintiff's Title VII claim is allowed to proceed against defendant Ruby Tuesday and plaintiff's New York State Human Rights Law claim is allowed to proceed against defendants Ruby Tuesday, Roberta Briggs, and Gary Cole.

IT IS SO ORDERED.



United States District Judge

Dated: January 30, 2018  
Utica, New York.