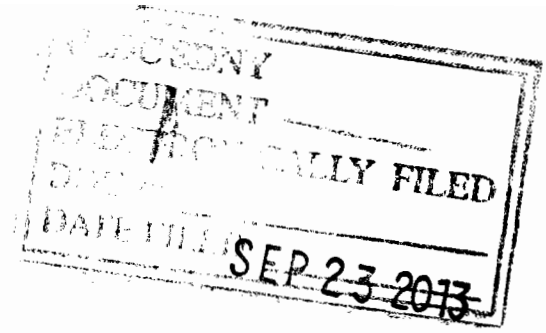


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



KELLIE GARRIGAN,

Plaintiff,

-against-

RUBY TUESDAY, INC., ET AL.,

Defendants.

OPINION AND ORDER

13 Civ. 1196 (GBD) (JCF)


GEORGE B. DANIELS, United States District Judge:

By letter dated August 9, 2013, the Plaintiff Kellie Garrigan requested leave to amend her complaint (ECF 1) to address the deficiencies described in the Court's July 30, 2013 Memorandum Decision and Order (ECF 29) granting the Defendants' motion to dismiss the complaint. Plaintiff Garrigan attached a copy of her proposed amended complaint ("PAC") to her July 30 letter. Plaintiff's request for leave to amend her complaint is DENIED as futile because the PAC does not cure the deficiencies recited in the Court's July 30 order, and does not state an actionable Title VII claim.

Defendants' request for attorney's fees and costs, as well as sanctions is also DENIED.

Dated: September 20, 2013
New York, New York

SO ORDERED



GEORGE B. DANIELS
United States District Judge