

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHN DOE,

Plaintiff : 1:20-cv-6770-GHW

-v -

ORDER

COLUMBIA UNIVERSITY,

Defendant.

GREGORY H. WOODS, United States District Judge:

“In considering a motion to dismiss for failure to state a claim pursuant to Rule 12(b)(6), a district court may consider the facts alleged in the complaint, documents attached to the complaint as exhibits, and documents incorporated by reference in the complaint.” *DiFolco v. MSNBC Cable LLC*, 622 F.3d 104, 111 (2d Cir. 2010) (internal quotations omitted). “Where a document is not incorporated by reference, the Court may nevertheless consider it where the complaint relies heavily upon its terms and effect, thereby rendering the document integral to the complaint.” *Id.* (internal quotations omitted).

Plaintiff’s Amended Complaint, Dkt. No. 41, pervasively relies upon the terms and effects of an article posted on the website *Bwog* on February 6, 2018. *See, e.g.*, Dkt. No. 41 ¶¶ 126–27, 134, 138, 154, 197, 206, 214–19. That article thus appears to be integral to Plaintiff’s Amended Complaint. The parties, however, have not provided the article to the Court. Accordingly, the parties are hereby ORDERED to provide the Court with a copy of the *Bwog* article no later than September 21, 2022. Any objections to this request must be submitted to the Court no later than September 20, 2022.

SO ORDERED.

Dated: September 18, 2022  
New York, New York

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 9/18/2022

  
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GREGORY H. WOODS  
United States District Judge