

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

LISA COOPER, )  
)  
Plaintiff, )  
  
vs. )  
  
THE SMITHFIELD PACKING COMPANY, )  
INC., )  
Defendant. )

**5:14-CV-115-F**

**Decision by Court.**

This action came before the Honorable James C. Fox, Senior United States District Judge, for ruling as follows:

**IT IS ORDERED, ADJUDGED AND DECREED** that pursuant to the court’s order dated 2/27/2014, the Defendant’s Motion to Dismiss the Complaint [DE-7] is DENIED as moot. Defendant’s Motion to Dismiss the Amended Complaint [DE-14] is ALLOWED as follows: Plaintiff’s claim for sexual harassment based on a hostile work environment is DISMISSED without prejudice to Plaintiff to file a Second Amended Complaint and the remainder of the Plaintiff’s claims are DISMISSED with prejudice.

**IT IS ORDERED, ADJUDGED AND DECREED** that pursuant to the court’s order dated 8/14/2015, Defendant’s Motion to Dismiss the Plaintiff’s TAC [DE-29] is ALLOWED IN PART and DENIED IN PART. In all other respects, the Defendant’s Motion to Dismiss Plaintiff’s TAC [DE-29] is DENIED.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED**, that the Defendant’s Motion for Summary Judgment [DE-48] is ALLOWED. The Clerk of Court is DIRECTED to close this case.

**This Judgment Filed and Entered on December 1, 2016, and Copies To:**

Angela Newell Gray (via CM/ECF Notice of Electronic Filing)

Kurt G. Larkin (via CM/ECF Notice of Electronic Filing)

Melissa A. Romano, (via CM/ECF Notice of Electronic Filing)

Brian Christopher Ussery (via CM/ECF Notice of Electronic Filing)

Holly H. Williamson (via CM/ECF Notice of Electronic Filing)

DATE

December 1, 2016

**JULIE RICHARDS JOHNSTON, CLERK**

/s/ Susan K. Edwards

(By) Susan K. Edwards, Deputy Clerk