

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

STACY SNYDER,	:	
Plaintiff	:	CIVIL ACTION
	:	
v.	:	NO.: 07-1660
	:	
MILLERSVILLE UNIVERSITY, J. BARRY	:	JURY TRIAL DEMANDED
GIRVIN, DR. JANE S. BRAY, and DR. VILAS	:	
A. PRABHU,	:	
Defendants	:	

**PLAINTIFF’S MOTION FOR LEAVE TO FILE THIRD AMENDED COMPLAINT
AND ADD DR. JUDITH WENRICH AND DR. BEVERLY SCHNELLER AS
ADDITIONAL DEFENDANTS**

Plaintiff, Stacy Snyder, by and through her undersigned counsel, pursuant to Rules 15 and 20 of the Federal Rules of Civil Procedure, hereby moves this Honorable Court to permit Plaintiff to file a Third Amended Complaint adding Judith Wenrich, Ph.D. and Beverly Schneller, Ph.D. as additional defendants in the above-captioned matter. In support thereof, Plaintiff alleges as follows:

1. This matter is pending before this Honorable Court on the Second Amended Complaint by Plaintiff, Stacy Snyder, filed on or about October 8, 2007. Therein, Plaintiff alleges Defendants, *inter alia*, violated her First Amendment rights by (a) dismissing her from MU’s School of Education; (b) denying Plaintiff her BSE degree and teaching certificate; and (c) awarding Plaintiff only a BA in Education degree insufficient to allow her to teach in Pennsylvania.

2. By Decision and Order dated on or about January 31, 2008, the Court granted in part and denied in part Defendant’s Motion to Dismiss Plaintiff’s Second Amended Complaint. By separate Order that same day, the Court directed the parties, *inter alia*, to complete all depositions and discovery by March 14, 2008.

3. On March 3, 2008, counsel for Plaintiff conducted the deposition of Defendant, Jane Bray, dean of MU's School of Education. Surprisingly, Bray denied any role in the denial of Plaintiff's teaching certificate and BSE degree. Instead, Bray blamed Dr. Judith Wenrich, MU's Field Services Director and chair of MU's Department of Elementary and Early Childhood Education, for these wrongful acts. Bray claimed her role was limited to denying Plaintiff's appeal from Wenrich's wrongful decision during a perfunctory meeting on or about May 12, 2008.

4. Bray went on to contend Wenrich, in collaboration with Dr. Beverly Schneller, chair of MU's Department of English, conspired to award Plaintiff only a BA degree, not the BSE Plaintiff earned. The two reached this decision only by converting Plaintiff's general education credits to English credits without Plaintiff's knowledge or consent. Later, Schneller told Plaintiff that, were it not for Schneller's creative shuffling of credits, Wenrich and Bray would have denied Plaintiff any MU degree at all.

5. Discovery provided by Defendants since Your Honor's January 31, 2008 Order reveals Wenrich's even greater involvement in the "drunken pirate" incident. Specifically, Wenrich interviewed CV official Deanne Buffington on or about May 8, 2006. Buffington told Wenrich that the "drunken pirate" incident was "the straw that broke the camel's back," compelling the denial of Plaintiff's teaching degree and BSE.

6. Buffington then warned Wenrich that, if MU did not deny Plaintiff her BSE and teaching certificate, CV likely would not permit future MU students to perform their student-teaching assignments at CV. According to Bray's testimony, in response to Buffington's threat, Wenrich, Schneller and Girvin conspired to deny Plaintiff her BSE and teaching certificate.

7. Permitting Plaintiff to file a Third Amended Complaint also will avoid confusion for

the jury at trial. In Your Honor's January 30, 2008 Order, Your Honor dismissed several of Plaintiff's counts, including those alleging due process violations, breach of contract and intentional infliction of emotional distress. The Third Amended Complaint removes these allegations, thereby lessening the chances of jury confusion at trial.

WHEREFORE, Plaintiff, Stacy Snyder, respectfully requests this Honorable Court enter an Order directing the Clerk of Court to file the attached Third Amended Complaint.

Dated: 3/7/08

LAW OFFICE OF MARK W. VOIGT

By: _____

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MARK W. VOIGT, ESQUIRE

Attorney ID No.: 64387

Validation of Signature Code: MWV6003

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(Attorney for Plaintiff, Stacy Snyder)