

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

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CHARNETTA GADLING-COLE,

Plaintiff,

v.

WEST CHESTER UNIVERSITY, et  
al.,

Defendants.

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HON. JEROME B. SIMANDLE

Civil No. 11-0796 (JBS)

**ORDER**

This matter having come before the Court<sup>1</sup> upon the motion of Defendants West Chester University, Eli DeHope, Claire Dente, Janet Bradley, Rick Voss and Michelle Belliveau (collectively "Defendants") to dismiss Plaintiff Charnetta Gadling-Cole's complaint [Docket Item 6] and the Defendants' second motion to dismiss in response to Plaintiff's amended complaint [Docket Item 12]; the Court having considered the submissions of the parties; for the reasons explained in the Opinion of today's date; and for good cause shown;

IT IS this 29<sup>th</sup> day of **March, 2012** hereby

ORDERED the Defendants' first motion to dismiss [Docket Item 6] is DISMISSED AS MOOT; and it is

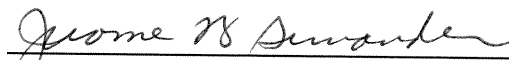
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<sup>1</sup> The undersigned is Chief Judge of the U.S. District Court for the District of New Jersey, sitting by designation pursuant to 28 U.S.C. § 292(b).

ORDERED the Defendants' second motion to dismiss [Docket Item 12] will be GRANTED IN PART and DENIED IN PART; and it is

ORDERED that the Plaintiff's claims alleging violations of Title VII against the individual faculty defendants and Plaintiff's claims alleging violations of her First Amendment right to free speech will be dismissed and this dismissal will be with prejudice as any amendment would be futile; and it is further

ORDERED the Defendants' motion to dismiss as to Plaintiff's Title VII violations against West Chester University and Plaintiff's equal protection claim against the individual faculty defendants will be DENIED.

  
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JEROME B. SIMANDLE  
U.S. District Judge