

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

COLLEEN M. BRADLEY WEST CHESTER UNIVERSITY OF THE PENNSYLVANIA STATE SYSTEM HIGHER EDUCATION et al.	CIVIL ACTION NO. 15-2681
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ORDER

AND NOW, this 9th day of December, 2015, for the reasons stated in the foregoing memorandum, upon consideration of Defendants' West Chester University of the Pennsylvania State System of Higher Education ("West Chester"), the Pennsylvania State System of Higher Education ("PASSHE"), Mark Mixner ("Mixner"), Lawrence A. Dowdy ("Dowdy"), Dr. Gregory Weisenstein ("Weisenstein"), Dr. Mark G. Pavlovich ("Pavlovich"), Lois M. Johnson ("Johnson"), and Ginger Coleman ("Coleman" and, together with Mixner, Dowdy, Weisenstein, Pavlovich and Johnson, the "Individual Defendants") Motion to Dismiss Plaintiff's Complaint (Dkt. 3), and all responses and replies thereto, it is hereby **ORDERED** that:

1. Defendants' Motion to Dismiss is **GRANTED**, as to Count I. Plaintiff's claims against West Chester and PASSHE under 42 U.S.C. § 1983 are hereby **DISMISSED WITH PREJUDICE**. Plaintiff's claims against the Individual Defendants under § 1983 are hereby **DISMISSED WITHOUT PREJUDICE**, with leave to amend. The Court will withhold ruling on the Motion to Dismiss Counts II and III pending an Amended Complaint. If there is no Amended Complaint, they will be dismissed for lack of jurisdiction.

BY THE COURT:

/s/ **Michael M. Baylson**

MICHAEL M. BAYLSON, U.S.D.J.