

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

WAYNE RIPPLE, :
: Plaintiff : CIVIL NO. 12-cv-2234
: :
: v. :
: :
: OLYMPIC STEEL INC., *et al.*, :
: :
: Defendants. :
:

O R D E R

AND NOW, this 10th day of February, 2014, upon consideration of the report and recommendation of the magistrate judge (Doc. 45), filed December 12th, 2013, and the objections that were filed, it is ordered that:

1. The magistrate's report (Doc. 45) is REJECTED in part and ADOPTED in part.
2. The portion of the magistrate's report that recommends summary judgment be granted in favor of Defendants on the ADA claim (Count I) and the PHRA claim (Count IV) is ADOPTED. Summary judgment is granted in favor of Defendants on Counts I and IV.
3. The portion of the magistrate's report that recommends summary judgment be granted in favor of Defendants on the constructive discharge claim (Count II) is REJECTED.
4. The portion of the report that recommends we decline to exercise supplemental jurisdiction over the intentional infliction of emotional distress claim (Count III) is ADOPTED.
5. Plaintiff's state law claims (Counts II and III) are dismissed without prejudice for lack of subject-matter jurisdiction.

6. The Clerk of Court shall close this case.

/s/ William W. Caldwell
William W. Caldwell
United States District Judge