

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

<b>SANDEEP NAYAK,</b>	:	
<b>Plaintiff</b>	:	<b>No. 1:14-cv-1053</b>
	:	
<b>v.</b>	:	<b>(Judge Kane)</b>
	:	
<b>VOITH TURBO, INC. <u>et al.</u>,</b>	:	<b>(Magistrate Judge Schwab)</b>
<b>Defendants</b>	:	

**ORDER**

**AND NOW**, on this 7th day of March 2016, **IT IS HEREBY ORDERED THAT:**

1. Magistrate Judge Schwab's Report and Recommendation (Doc. No. 104) is **ADOPTED**;
2. Plaintiff's objections (Doc. No. 107) are **OVERRULED**;
3. Defendant's motion to dismiss (Doc. No. 127) is **GRANTED IN PART AND DENIED IN PART** as follows:
  - a. Plaintiff's Title VII claims, raised in Counts I, II, and III of Plaintiff's Complaint (Doc. No. 132), are **DISMISSED WITH PREJUDICE**;
  - b. Plaintiff's PHRA claims, raised in Counts I, II, and III of Plaintiff's Complaint (Doc. No. 132), are **DISMISSED WITHOUT PREJUDICE**;
  - c. Counts IV, VI and VII of Plaintiff's Complaint (Doc. No. 132) are **DISMISSED WITHOUT PREJUDICE**; and
  - d. In all other respects, the motion is **DENIED**; and
4. The above-captioned action is referred back to Magistrate Judge Schwab for further pre-trial management.

\_\_\_s/ Yvette Kane\_\_\_\_\_  
 Yvette Kane, District Judge  
 United States District Court