

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

LISA M. DAVENPORT,	:	
	:	
Plaintiffs	:	CIVIL ACTION NO. 1:16-0494
	:	
v.	:	
	:	(JUDGE MANNION)
RICHARD SPENCER, SECRETARY of the DEPT. of the NAVY,	:	
	:	
Defendant	:	

ORDER

In accordance with the Memorandum issued by the court this same day,

**IT IS HEREBY ORDERED THAT:**

- (1) The plaintiff’s motion for leave of court to file a second amended complaint, (**Doc. 57**), is **GRANTED IN PART** and, **DENIED IN PART**.
- (2) The motion is **GRANTED** only to the extent that plaintiff is allowed to file a SAC that includes her disability discrimination claim under the RA and her Title VII gender discrimination claim.
- (3) The motion is **DENIED** to the extent that plaintiff seeks to include her claim appealing the MSPB’s Final Decision since **JUDGMENT** has been entered in favor of the defendant and against the plaintiff with respect to this claim.

- (4) The plaintiff is directed to file her SAC **without** her claim appealing the MSPB's Final Decision, as specified in this Order, **on or before November 15, 2019**.
- (5) The defendant is directed to file his answer to plaintiff's SAC **within 14 days** of the date that he is served with it.

s/ *Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Date: November 4, 2019**

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