

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

SHARON M. THOUROT, :
 :
 Plaintiff, : CIVIL ACTION NO. 3:14-1779
 :
 v. : (JUDGE MANNION)
 :
 MONROE CAREER & :
 TECHNICAL INSTITUTE, et al., :
 :
 Defendants, :
 :

ORDER

In accordance with the memorandum issued this same day, **IT IS
HEREBY ORDERED THAT:**

- (1) Because of the intervening events which occurred since Judge Saporito's report on the above-captioned matter, namely the amendment of the complaint, the report of Judge Saporito, (**Doc. 21**), is **ADOPTED IN PART**, and **DISMISSED IN PART**, as moot;
- (2) the plaintiff's amended complaint (**Doc. 22**) supersedes the complaint (**Doc. 1**), and the plaintiff's amended complaint

(Doc. 22) is **DISMISSED** without prejudice;

(3) the defendants' motion to dismiss **(Doc. 7)** the complaint is **DISMISSED** without prejudice as moot;

(4) the defendants' motion to dismiss **(Doc. 25)** the amended complaint is also **DISMISSED** without prejudice as moot;

(5) The plaintiff shall have until **November 13, 2015** to file a second amended complaint consistent with the instructions below:

(a) The plaintiff's second amended complaint shall contain a short and plain statement of the claim for relief and a demand for specific judgment.

(b) The plaintiff's second amended complaint shall be complete, in and of itself, without reference to any prior filings.

(c) In accordance with Fed.R.Civ.P. 8(a)(1), the plaintiff's second amended complaint

shall set forth a short and plain statement of the grounds upon which the court's jurisdiction depends.

- (d) In accordance with Fed.R.Civ.P. 8(d), each allegation of the plaintiff's second amended complaint shall be simple, concise and direct.
- (e) In accordance with Fed.R.Civ.P. 9(c), the plaintiff's second amended complaint shall set forth conditions precedent, including prior submission of the plaintiff's claim to the Pennsylvania Human Relations Commission ("PHRC") and the U.S. Equal Employment Opportunity Commission ("EEOC").
- (f) In accordance with Fed.R.Civ.P. 10(b), the plaintiff's amended complaint shall be divided into separate, numbered paragraphs, the contents of each of which shall be limited, as far as practicable, to a statement of a single set of circumstances.
- (g) Should the plaintiff fail to file a second amended complaint within the required time period, or fail to follow the above

mentioned procedures, the court will
dismiss this action.

- (6) the plaintiff's motion to appoint counsel (Doc. 20) is
DENIED;
- (7) this case is **REMANDED** Judge Saporito for further pretrial
proceedings.

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

Date: October 13, 2015

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