

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

MONIQUE PACHECO,

Plaintiff,

v.

POCONO MEDICAL CENTER and VLADIMIR
NIKIFOROUK, M.D.,

Defendants.

NO. 3:16-CV-02461

(JUDGE CAPUTO)

ORDER

NOW, this 16th day of August, 2017, **IT IS HEREBY ORDERED** that:

- (1) Defendant Pocono Medical Center's Motion to Dismiss (Doc. 10) is **GRANTED**. Plaintiff Monique Pacheco's Title VII of Civil Rights Act of 1964, as amended 1991, 42 U.S.C. § 2000e, *et seq.* retaliation claim in Count I is **DISMISSED without prejudice**. Plaintiff has **twenty-one (21)** days from the date of entry of this Order to file a an Amended Complaint to properly plead her Title VII retaliation claim against Defendant Pocono Medical Center; otherwise, the claim will be **dismissed with prejudice**.
- (2) Defendant Vladimir Nikiforouk's Motion to Dismiss (Doc. 8) is **GRANTED**. Plaintiff Monique Pacheco's Pennsylvania Wire Tapping and Electronic Surveillance Control Act, 18 Pa. C.S.A. § 5725, invasion of privacy claim in Count II is **DISMISSED without prejudice** to Plaintiff pursuing the claim in an appropriate state court.

/s/ A. Richard Caputo _____
A. Richard Caputo
United States District Judge