

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

TRISHA TSHUDY,

No. 4:22-CV-01431

Plaintiff,

(Chief Judge Brann)

v.

PENNSYLVANIA STATE  
UNIVERSITY,

Defendant.

**ORDER**

**NOVEMBER 18, 2022**

In accordance with the accompanying Memorandum Opinion, **IT IS  
HEREBY ORDERED** that Defendant's Motion to Dismiss (Doc. 29) is  
**GRANTED** as follows:

1. Plaintiff's first cause of action (violation of due process rights) is DISMISSED with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6);
2. Plaintiff's second cause of action (discrimination under the Americans with Disabilities Act) is DISMISSED without prejudice pursuant to Federal Rule of Civil Procedure 8(a)(2);<sup>1</sup>

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<sup>1</sup> Plaintiff is given leave to amend her Complaint within 10 (ten) days of this Order.

3. Plaintiff's third cause of action (violation of First Amendment rights) is DISMISSED with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6).

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann  
Chief United States District Judge