

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

_____)	
MARISA PIZZARELLI, on)	
behalf of herself and all others)	
similarly situated,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 15-254 S
)	
THE CADILLAC LOUNGE, L.L.C.,)	
NANCY SHAPPY and RICHARD SHAPPY,)	
all d/b/a THE CADILLAC LOUNGE,)	
)	
Defendants.)	
_____)	

AMENDED ORDER

This is one of three cases brought by the same set of Plaintiffs’ attorneys on behalf of exotic dancers at three Rhode Island night clubs. (See Levi, et al. v. Gulliver’s Tavern, Inc., et al., C.A. No. 15-216 (“Levi”); Binienda v. Atwells Realty Corp., et al., C.A. No. 15-253 (“Binienda”).) The cases involve substantially similar allegations and causes of action. (Compare Levi Am. Compl., ECF No. 13 in C.A. No. 15-216, with Binienda Am. Compl., ECF No. 10 in C.A. No. 15-253, with Pizzarelli Compl., ECF No. 1 in C.A. No. 15-254.)

Before the Court is Defendants Richard and Nancy Shappy’s (collectively, the “Shappys”) Motion to Dismiss (“Motion”). (ECF No. 10 in C.A. No. 15-254.) In the

Motion, the Shappys argue that Plaintiff Marisa Pizzarelli ("Pizzarelli") failed to plead facts sufficient to hold them individual liable for Pizzarelli's claims. The allegations Pizzarelli specifically raises against the Shappys are identical to those Plaintiffs raised against the individual defendants in Levi: that the Shappys are "the owners, operators, officers, and managing partners of the [club]." (Compare Levi Am. Compl. ¶¶ 7-8, ECF No. 13 in C.A. No. 15-216, with Pizzarelli Compl. ¶¶ 5-6, ECF No. 1 in C.A. No. 15-254.) Further, the Shappys arguments in support of their Motion are substantially similar to the arguments made by the individual defendants in Levi. (Compare Levi Mem. in Supp. of Defs.' Partial Mot. to Dismiss 4-6, ECF No. 15-1 in C.A. No. 15-216 and Levi Defs.' Reply 8-10, ECF No. 19 in C.A. No. 15-216, with Pizzarelli Mem. in Supp. of Mot. to Dismiss, ECF No. 10 in C.A. No. 15-254.) And Pizzarelli's Opposition to the Shappys' Motion raises nearly identical arguments as the Plaintiffs in Levi. (Compare Pizzarelli Opp'n, ECF No. 12-1 C.A. No. 15-254, with Levi Opp'n 3-6, ECF No. 17-1 in C.A. No. 15-216.)

Given these similarities and that Plaintiffs in the two cases are represented by the same counsel, the Court need not write separately in the present action. The Court

GRANTS the Shappys' Motion to Dismiss for the reasons set forth in the Memorandum and Order Dismissing the individual defendants in Levi and dismisses the Shappys without prejudice. (See Levi Mem. & Order, Section III(C), ECF No. 21 in C.A. No. 15-216.)

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "WESMITH".

William E. Smith
Chief Judge
Date: February 12, 2016