

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

CYNTHIA DENEEN MILLER,)	Case No. 4:12-cv-00006
)	
Plaintiff,)	
)	
v.)	ORDER
)	
STRATFORD HOUSE RETIREMENT)	
COMMUNITY,)	
)	
Defendant.)	By: Jackson L. Kiser Senior United States District Judge

For the reasons stated in the accompanying Memorandum Opinion, Defendant’s Motions to Dismiss and Alternative Motion for a More Definite Statement is **GRANTED** as follows: Defendant’s motion to dismiss Plaintiff’s claim for workers’ compensation benefits or damages for common law personal injury pursuant to Rule 12(b)(1) is **GRANTED**, and that claim is **DISMISSED** with prejudice; Defendant’s motion to dismiss Plaintiff’s claim for wrongful discharge under the ADA pursuant to Rule 12(b)(6) is **GRANTED WITH LEAVE TO AMEND** her Complaint within twenty-one (21) days from entry of this order.

The clerk is directed to send a copy of this Order to Plaintiff, *pro se*, and counsel for Defendant.

Entered this 24th day of April, 2012.

s/Jackson L. Kiser
SENIOR UNITED STATES DISTRICT JUDGE