

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

JEFFREY WILLIAM BAILEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 5:14-cv-00059
	)	
WASHINGTON AREA COUNCIL OF	)	By: Elizabeth K. Dillon
ENGINEERING LABORATORIES, <i>et al.</i> ,	)	United States District Judge
	)	
Defendants.	)	

**ORDER**

In accordance with its memorandum opinion entered this day, the court hereby ORDERS as follows:

1. Plaintiff’s objections to Magistrate Judge Joel C. Hoppe’s April 28, 2015 report and recommendation are OVERRULED (Dkt. No. 35);
2. The magistrate judge’s report is ADOPTED (Dkt. No. 32);
3. Defendant Washington Area Council of Engineering Laboratories’ (WACEL) motion to dismiss plaintiff’s original complaint is DENIED AS MOOT (Dkt. No. 7);
4. WACEL’s motion to dismiss plaintiff’s amended complaint is GRANTED (Dkt. No. 21);
5. Plaintiff’s federal claims are DISMISSED WITH PREJUDICE;
6. Plaintiff’s state claims are DISMISSED WITHOUT PREJUDICE;
7. Plaintiff’s motion for leave to file a second amended complaint is GRANTED (Dkt. No. 36); and

8. Plaintiff shall file a second amended complaint complying with the court's directions within 21 days of this order or this action will be dismissed and struck from the court's docket.

The clerk is directed to send a copy of this order to plaintiff and to all counsel of record.

Entered: September 21, 2015.

*Elizabeth K. Dillon*  
United States District Judge