

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

STEFANIE GERBERDING,

Plaintiff,

v.

MEDICAL COLLEGE OF WISCONSIN,

Defendant.

Case No. 16-CV-1579-JPS

**ORDER**

On November 28, 2016, Plaintiff brought a two-count complaint against Defendant. (Docket #1). Count I alleges sex discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* *Id.* at 4–5. Count II brings the same claims under Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. § 1681, *et seq.* *Id.* at 5–7. On January 30, 2017, Defendant filed a motion to dismiss Count II on the ground that the Title IX claim is precluded by the comprehensive statutory scheme for such claims established in Title VII. (Docket #6). On February 10, 2017, the parties filed a joint stipulation for the dismissal of Count II with prejudice and without costs or attorney’s fees assessed to either party. (Docket #12). The Court will adopt the stipulation, which also renders Defendant’s motion to dismiss moot.

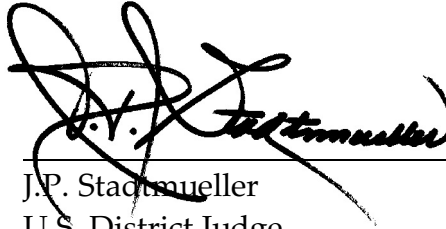
Accordingly,

**IT IS ORDERED** that the parties’ stipulation of dismissal as to Count II of Plaintiff’s complaint (Docket #12) be and the same is hereby **ADOPTED**; Count II of Plaintiff’s complaint be and the same is hereby **DISMISSED with prejudice** and without costs or attorney’s fees to any party; and

**IT IS FURTHER ORDERED** that Defendant’s motion to dismiss Count II of Plaintiff’s complaint (Docket #6) be and the same is hereby **DENIED as moot**.

Dated at Milwaukee, Wisconsin, this 21st day of February, 2017.

BY THE COURT:



A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line. The signature is stylized and somewhat cursive.

J.P. Stadtmueller  
U.S. District Judge