

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

PATSYNNA EASLEY,
Plaintiff,

vs.

Case No. 06-2447-JTM

JOHN E. POTTER, POSTMASTER
GENERAL, UNITED STATES POSTAL
SERVICE,

Defendant.

MEMORANDUM AND ORDER

The present action arises from a federal employment discrimination case brought by Patsynna Easley against her current employer, John E. Potter, Postmaster General of the United States Postal Services (“USPS”). Plaintiff’s allegations include discrimination on account of gender, race, and age and employer retaliation. Defendant filed a motion to dismiss plaintiff’s claims for certain damages on her age discrimination claim under the Age Discrimination in Employment Act (“ADEA”) (Dkt. No. 9) and a motion to dismiss plaintiff’s claims for punitive damages (Dkt. No. 13) with this court on March 16, 2007. Following the filing of defendant’s motion, plaintiff failed to respond.

Plaintiff filed a motion for extension of time to respond, which this court granted on April 20, 2007. The court’s April 20, 2007 order allowed plaintiff to respond on or before May 8,

2007 to both of defendant's motions to dismiss. Plaintiff failed to respond following the court's April 20, 2007 order.

Under D. Kan. Rule 7.4, if a respondent fails to file a response within the time required by Rule 6.1(d), the motion will be considered and decided as an uncontested motion, and ordinarily will be granted without further notice. For this reason and for good cause shown, the court grants defendant's motions to dismiss.

IT IS ACCORDINGLY ORDERED this 25th day of May, 2007 that defendant's motions to dismiss (Dkt. Nos. 9 and 13) are granted.

s/ J. Thomas Marten
J. THOMAS MARTEN, JUDGE