

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

RUBY L. DAVIS,

Plaintiff,

v.

UNIFIED SCHOOL DISTRICT
NO. 512 K/A SHAWNEE MISSION
SCHOOL DISTRICT, et al.,

Defendants.

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Case No. 15-9160-KHV

ORDER

On July 14, 2017, the court conducted a status conference in this case. For the following reasons, the court will grant plaintiff's motion for extension of time (ECF No. 117). In addition, the court directs the parties to comply with the following orders.

During the status conference, the court considered plaintiff's recently filed motion for extension of time. Plaintiff sought a one-day extension to file her amended complaint. Defendant's counsel indicated that defendant had no objection to the requested extension. Defendant Unified School District No. 512 ("School District"), however, did object to the claims asserted in the amended complaint. Specifically, the School District opposed the addition of two new parties to this action. The School District contended that the court, in granting plaintiff's motion to amend, had not allowed plaintiff to add two individuals as defendants being sued in their individual capacities. After some discussion, the parties agreed to a stipulation concerning these parties. Plaintiff agreed to dismiss the individual defendants if the School District agreed that the individual defendants had acted in their official capacities and within the scope of their authority in transferring plaintiff from her employment at Shawnee Mission East High School to Shawnee Mission West High School. The School District agreed to plaintiff's request.

In accord with the aforementioned discussion, the court grants plaintiff's motion for an extension of time. The amended complaint filed by plaintiff on July 8, 2017 shall be viewed as timely filed. In light of the stipulation reached by the parties, the court orders plaintiff to file a motion to dismiss the individual defendants within ten days of this order. The court will conduct another status conference on July 26, 2017, at 10:30 a.m., by telephone to determine the remaining deadlines for the completion of this case.

Accordingly,

IT IS THEREFORE ORDERED that plaintiff's motion for extension of time (ECF No. 117) is granted. The Amended Complaint filed by plaintiff on July 8, 2017 is timely filed.

IT IS FURTHER ORDERED that, in light of the stipulation reached by the parties at the status conference, plaintiff shall file a motion to dismiss the individual defendants named in the Amended Complaint within ten (10) days of the date of this order.

IT IS FURTHER ORDERED that another Status Conference is scheduled for July 26, 2017, at 10:30 a.m., by telephone. At that time, the court will determine the remaining deadlines for the completion of this case. Participants shall dial into the conference call at 888-363-4749, then enter access code 3977627#, and follow the prompts to join the call as a participant.

IT IS SO ORDERED.

Dated this 14th day of July, 2017, at Topeka, Kansas.

s/ K. Gary Sebelius
K. Gary Sebelius
U.S. Magistrate Judge