

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI
21st JUDICIAL CIRCUIT

Paul Lia,)
Plaintiff,) November 26, 2013
v.)
) 13SL-CC00089
YMCA of Greater St. Louis,)
Defendant.) Div. 20

FILED

NOV 26 2013

JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

Order

Defendant's motion "to dismiss or alternative motion for summary judgment of plaintiff's first amended petition" called for hearing this date. Defendant appears by counsel; no appearance on behalf of plaintiff.

Defendant's motion to dismiss Count I ("sex discrimination in violation of the Missouri Human Rights Act") is granted as plaintiff as failed to file his petition within 90 days of the date of the "right to sue" letter issued by the Missouri Commission on Human Rights (Defendant's Exhibit B). Count I is dismissed with prejudice.

Defendant's motion to dismiss Count II (Breach of Contract) is granted, however plaintiff is granted 20 days in which to file an amended Count II, attaching a copy of the contract, if in writing, and setting forth the date the contract is alleged to have been entered into and the terms of the contract, if oral. (The court notes a second amended petition in the court file, file-stamped September 23, 2013, however leave of court was not obtained to file it and it suffers the same inadequacies as the first amended petition.)

SO ORDERED: _____


Colleen Doian, Judge Div. 20

cc: Casey Coats, attorney for plaintiff
Andrew Martone, attorney for defendant