

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

TRINENE DAVIS, ET AL.,
Plaintiffs,

v.

STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN and
FAMILIES, ET AL.,
Defendants.

CIVIL ACTION NO.
3:04cv1203 (SRU)

RULING ON MOTION TO DISMISS

On July 20, 2004, Trinene Davis, Shirley Weaver, Regina Moore, Michael Ayers, John Stafford, and Janet Halloway filed a twenty-six count complaint against the State of Connecticut Department of Children and Families and other individual defendants ("DCF"), alleging workplace violations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 1983, and various other state law claims. The complaint sought monetary damages against DCF and each of the individual defendants in their official and individual capacities.

On December 7, 2004, DCF filed a motion to dismiss the complaint based on lack of subject matter jurisdiction, sovereign immunity, the Eleventh Amendment, failure to exhaust, and failure to state a claim pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure. I have reviewed DCF's motion to dismiss and accompanying memorandum in support of its motion to dismiss.

On December 27, 2004, plaintiffs filed a motion for an extension of time to respond to the motion to dismiss, and on January 4, 2005, the court granted the motion, extending the deadline for plaintiffs' responses to January 27, 2005. Plaintiffs never filed a response to DCF's

motion to dismiss, nor did plaintiffs request an additional extension of time, despite telephone reminders from chambers of the pending motion.

Due to the absence of any objection by plaintiffs, and based upon a review of the motion to dismiss and accompanying memorandum of law, DCF's motion to dismiss (doc. # 32) is GRANTED.

It is so ordered.

Dated at Bridgeport, Connecticut, this 27th day of December 2005.

/s/ Stefan R. Underhill
Stefan R. Underhill
United States District Judge