

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

ANGELA STINSON,)	
)	
PLAINTIFF)	
)	
v.)	CIVIL No. 04-220-P-H
)	
SIMPLEXGRINNELL LP,)	
)	
DEFENDANT)	

**ORDER ON PLAINTIFF’S MOTION TO AMEND COMPLAINT
AND ON DEFENDANT’S MOTION TO DISMISS**

I treat the plaintiff’s response to the defendant’s motion to dismiss as a motion for leave to file an amended complaint, and the motion to amend is **GRANTED**. Any amended complaint shall be filed by December 23, 2004. I observe, however, that it is unclear whether the plaintiff understands that Maine’s Human Rights Act does not protect employees from (or forbid retaliation based on opposition to) all hostile work environments, only those where the hostility proceeds from one of the prohibited characteristics (such as sex). See 5 M.R.S.A. §§ 4572(1)(A), 4633. I will wait to see if the plaintiff, consistent with Federal Rule of Civil Procedure 11(b), alleges activity that states a claim. The defendant’s motion to dismiss is **DENIED**, subject to its being renewed if the plaintiff fails to amend her complaint adequately.

So ORDERED.

DATED THIS 14TH DAY OF DECEMBER, 2004

/s/D. BROCK HORNBY

D. BROCK HORNBY

UNITED STATES DISTRICT JUDGE

**U.S. DISTRICT COURT
DISTRICT OF MAINE (PORTLAND)
CIVIL DOCKET FOR CASE #: 04-cv-220**

ANGELA STINSON

Plaintiff

represented by **GUY D. LORANGER**
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v.

SIMPLEXGRINNELL LP

Defendant

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