

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.7.1.1
Eastern Division**

Kaya Hudgins

Plaintiff,

v.

Case No.: 1:23-cv-00218

Honorable Matthew F. Kennelly

The David Lynch Foundation, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Tuesday, January 23, 2024:

MINUTE entry before the Honorable Matthew F. Kennelly: Plaintiff's motion to clarify University of Chicago's party status [90] is granted. The Court dismissed any and all claims by plaintiff against the University via its order of 6/20/2023, which unambiguously stated in the conclusion that the only claims remaining in the case were claims under 42 USC 1983 against the Board of Education and David Lynch Foundation--in other words, there were no remaining claims against the University. Plaintiff is correct that a dismissal for failure to state a claim may not be a final ruling--in some situations, the defect that led to the dismissal may be cured by amendment--but in this case plaintiff never filed or sought leave to file an amended complaint asserting claims against the University. In short, there are no claims in the case against the University, and thus there is no basis to order any sort of relief against the University, as it is no longer a defendant. The fact that the University participated in status hearings after the 6/30/2023 order does not alter any of this; plaintiff has no pending claims against the University. The only way to change this would be for plaintiff to seek and successfully obtain leave to file an amended complaint asserting claims against the University. The Court expresses no view regarding whether any such motion would be timely at this point. (mk)

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