

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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| ROBERT COHEN, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 14-754(EGS) |
| |) | |
| BOARD OF TRUSTEES OF THE |) | |
| UNIVERSITY OF THE DISTRICT |) | |
| OF COLUMBIA, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

ORDER

For the reasons stated in the accompanying Memorandum Opinion it is hereby

ORDERED that the defendants' motion to dismiss the plaintiff's complaint as time-barred is **DENIED**; and it is further

ORDERED that the defendants' motion to dismiss as to the plaintiff's five common law claims—trespass to chattel, conversion, bailee indebtedness, negligence, and intentional infliction of emotional distress—is **GRANTED** for failure to exhaust administrative remedies; and it is further

ORDERED that the defendants' motion to dismiss the plaintiff's due process claim against the Board of Trustees of the University of the District of Columbia pursuant to 42 U.S.C. § 1983 is **DENIED** because the plaintiff stated a claim that the

Sixth Master Agreement provides constitutionally insufficient process; and it is further

ORDERED that the defendants' motion to dismiss the plaintiff's due process claim against individual defendants Allen Sessoms and Graeme Baxter pursuant to 42 U.S.C. § 1983 is **DENIED** because the plaintiff stated a claim that these individual defendants implemented the plausibly constitutionally insufficient Sixth Master Agreement; and it is further

ORDERED that the defendants' motion to dismiss the plaintiff's due process claim against individual defendant Vernise Steadman pursuant to 42 U.S.C. § 1983 is **GRANTED** because the plaintiff failed to state a claim; and it is further

ORDERED that the defendants' motion to dismiss the plaintiff's due process claim against the individual defendants pursuant to *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971) is **GRANTED** because the plaintiff failed to state a claim.

SO ORDERED.

Signed: Emmet G. Sullivan
United States District Judge
April 24, 2018