

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Brittany J. Buckley,

Plaintiff,

18-cv-3124 (JNE/DTS)
ORDER

v.

Hennepin County,
Hennepin Healthcare System, Inc.;
Hennepin Healthcare Research Institute;
Paramedics Anthony D'Agostino,
Katherine A. Kaufmann, and
Jonathan R. Thomalla, all in their
individual and official capacities;
William Heegaard, MD, Jon Cole, MD,
Jeffrey Ho, MD, Paul Nystrom, MD,
Craig Peine, MD, Karen Heim-Duthoy,
PharmD, and Researchers J. Does 1-10,
whose identities are presently unknown to
Plaintiff, all in their individual and official
capacities,

Defendants.

Plaintiff Brittany Buckley filed suit against Defendants Hennepin County, Hennepin Healthcare Services, Hennepin Health Research Institute, and employees of these entities, claiming the administration of ketamine violated her rights under the Fourth and Fourteenth Amendment and constituted medical malpractice in violation of Minnesota common law. On July 10, 2019, the Court heard Defendants' Motion for Judgment on the Pleadings. ECF No. 30. On September 11, 2019, the Court filed a Memorandum under seal. For the reasons set forth in the Memorandum, the Court grants Defendants' Motion.

The parties shall submit proposed redactions to the Memorandum, if any, on or before September 19, 2019. The Court will either unseal the Memorandum or file a redacted version of the Memorandum.

Based on the files, records, and proceedings herein, and for the reasons stated above,
IT IS ORDERED THAT:

1. Defendants' Motion for Judgment on the Pleadings, ECF No. 13, pursuant to Rules 12(b)(6) and 12(c) of the Federal Rules of Civil Procedure be **GRANTED**; and
2. Plaintiff Brittany Buckley's Complaint, ECF No. 1, be **DISMISSED** as follows:
 - a. Counts One through Three of Buckley's Complaint be **DISMISSED WITH PREJUDICE** as to all Defendants in their individual and official capacities;
 - b. Counts Four through Six of Buckley's Complaint be **DISMISSED WITHOUT PREJUDICE** as to all Defendants in their individual and official capacities.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 11, 2019

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge