

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

| | | |
|----------------------|---|---------------------------------|
| JOHN W. PRUITT, SR., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 18-1101-MN-SRF |
| |) | |
| AIR & LIQUID SYSTEMS |) | |
| CORPORATION, et al., |) | |
| |) | |
| Defendants. |) | |

REPORT AND RECOMMENDATION FOR ORDER OF DISMISSAL

WHEREFORE, Does 1–350 Inclusive remain active defendants in this case;

WHEREFORE, October 18, 2019, was the deadline for completion of discovery (D.I. 208), and Plaintiff has not identified any Doe defendant;

WHEREFORE, pursuant to Fed. R. Civ. P. 21, district courts may dismiss Doe defendants *sua sponte*, see *King v. Mansfield Univ. of Pa.*, 2014 WL 4546524, at *10–11 (M.D. Pa. Sept. 12, 2014); and

WHEREFORE, it is appropriate for the court to dismiss Doe defendants where “reasonable discovery does not unveil [their] proper identities,” *Blakeslee v. Clinton Cty.*, 336 Fed. Appx. 248, 250 (3d Cir. 2009) (citing *Scheetz v. Morning Call, Inc.*, 130 F.R.D. 34, 37 (E.D. Pa. 1990));

IT IS HEREBY RECOMMENDED THAT Defendants Does 1–350 Inclusive are ordered dismissed pursuant to Fed. R. Civ. P. 21.

Dated: November 9, 2020



Sherry R. Fallon
UNITED STATES MAGISTRATE JUDGE