



well-pleaded facts support the inference that Plaintiff's complaint was leaked. *See* Compl.

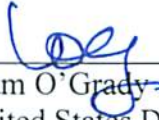
¶ 277-281. Accordingly, the Complaint does not plead a plausible retaliation claim, and Count II is hereby **DISMISSED WITHOUT PREJUDICE**.

Finally, Count I asserts a discriminatory failure to promote. To prevail on a discriminatory failure to promote claim, a plaintiff must show membership in a protected group, application to a position, qualification for that position, and rejection under circumstances giving rise to an inference of discrimination. *Williams v. Giant Food, Inc.*, 370 F.3d 423, 430 (4th Cir. 2004). Taking all the well-pleaded facts as true, and drawing all reasonable inferences in favor of Plaintiff, the Court concludes that the Complaint sets forth a plausible claim.

Accordingly, for the reasons stated above, Defendant's motion, Dkt. 6, is hereby **GRANTED IN PART AND DENIED IN PART**. The motion is denied as to Count I and granted as to Count II and Count III. Plaintiff shall have thirty (30) days to file an Amended Complaint if she can do so within the constraints of Fed. R. Civ. P. 11.

It is **SO ORDERED**.

July 22, 2020  
Alexandria, Virginia

  
\_\_\_\_\_  
Liam O'Grady  
United States District Judge