

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MARCUS SCHABACKER and</b>	:	
<b>EMERGENCY CARE RESEARCH</b>	:	
<b>INSTITUTE doing business as ECRI,</b>	:	
<i>Plaintiffs,</i>	:	
	:	
v.	:	<b>CIVIL NO. 22-3778</b>
	:	
<b>STEVEN FERENS,</b>	:	
<i>Defendant.</i>	:	

**ORDER**

AND NOW, this **21st** day of **February, 2024**, upon consideration of Motion for Summary Judgment of Defendant Steven Ferens (ECF No. 43), Plaintiffs’ Memorandum of Law in Support of Their Response in Opposition to Defendant’s Motion for Summary Judgment (ECF No. 45), Reply Brief in Support of Defendant Steven Ferens’ Motion for Summary Judgment (ECF No. 47), and Plaintiffs’ Sur-Reply Brief in Support of Their Response in Opposition to Defendant’s Motion for Summary Judgment (ECF No. 49), it is hereby **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART**.

**IT IS FURTHER ORDERED** as follows:

1. Summary judgment is **GRANTED** in favor of the defendant on Count I of the Amended Complaint, and Count I is **DISMISSED WITH PREJUDICE**.
2. Summary judgment is **DENIED** as to all of the remaining counts in the Amended Complaint.

**BY THE COURT:**

/s/ Kai N. Scott  
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**HON. KAI N. SCOTT**  
 United States District Court Judge