

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

BRIAN LOMANACK, an)
individual,)
)
Plaintiff,)
)
v.)
)
GREGORY BOUTWELL, in his)
official capacity as Fire)
Chief for the City of)
Ozark, Alabama and in his)
individual capacity, et)
al.,)
)
Defendants.)

CIVIL ACTION NO.
1:15cv122-MHT
(WO)

AMENDED JUDGMENT

In accordance with Federal Rule of Civil Procedure 54(b), it is ORDERED that the judgment (doc. no. 43) entered on March 22, 2016, is revised to the extent that subparagraphs (a) and (b) of paragraph 3 are replaced with the following language:

(a) The motion to dismiss is granted with prejudice only as to plaintiff's claims against unnamed, fictitious parties, and plaintiff's claims

under Alabama law for punitive damages and wantonness against defendant City of Ozark.

(b) The motion to dismiss is granted without prejudice, and with leave to amend, as to plaintiff's Fourteenth Amendment claims against defendant Gregory Boutwell; plaintiff's claims against defendant City of Ozark in Counts I-IV; and plaintiff's claims against defendant City of Ozark for negligent supervision, training, and evaluation.

DONE, this the 17th day of April, 2017.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE