

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

CHAMBERS OF  
J. FREDERICK MOTZ  
UNITED STATES DISTRICT JUDGE

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June 21, 2016

MEMO TO COUNSEL RE: Franklin Savage, et al. v. Pocomoke City, et al.  
Civil No. JFM-16-201

Dear Counsel:

I have reviewed the memoranda submitted in connection with defendants Mason, Smack, Passwaters, and Wells motion to dismiss first amended complaint.

The motion (document 43) is granted in part and denied in part. It is granted as to plaintiff's claims against the defendants in their official capacities under Section 1981 and Section 1983. The motion is also granted as to plaintiff's retaliation claim against defendant Wells.

Otherwise the motion is denied. This denial is without prejudice to defendants rearing the arguments they have made after the conclusion of discovery.

Despite the informal nature of this letter, it should be flagged as an opinion and docketed as an order.

Very truly yours,

/s/

J. Frederick Motz  
United States District Judge