

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

ERIC ROONEY, et al.,	:	CIVIL ACTION
	:	NO. 06-3480
Plaintiffs,	:	
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, et al.,	:	
	:	
Defendants.	:	

**O R D E R**

**AND NOW**, this **22 day of April 2009**, it is hereby **ORDERED** that, for the reasons stated in the accompanying memorandum,

- (1) the City's motion for summary judgment (doc. no. 76) is **GRANTED in part and DENIED in part;**
- (2) SEPTA's motion for summary judgment (doc. no. 77) is **GRANTED;**
- (3) AMTRAK's motion for summary judgment (doc. no. 79) is **GRANTED;**

**IT IS FURTHER ORDERED** as follows:

- (1) AMTRAK's motion in limine and motion for leave to file sur-reply (doc. nos. 78, 91) is **DENIED as moot;**
- (2) AMTRAK's motions for leave to file sur-reply (doc. no. 90) is **GRANTED;**
- (3) the City's motion for leave to file sur-reply (doc. no. 93) is **GRANTED;**

(4) SEPTA's motion for leave to file sur-reply (doc. no. 89) is **GRANTED**.

**AND IT IS SO ORDERED.**

S/Eduardo C. Robreno  
**EDUARDO C. ROBRENO, J.**