

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

KENNETH MALIK MILLER	:	CIVIL ACTION
	:	
v.	:	
	:	
DAVID DIGUGLIELMO, et al.	:	NO. 07-2686

**ORDER**

AND NOW, this 14th day of April, 2010, based on the foregoing Memorandum, it is hereby ORDERED as follows:

1. Plaintiff's Motion for Clarification or Reconsideration (Doc. No. 78) is DENIED.
2. Defendants' Motion for Summary Judgment remains GRANTED as to Plaintiff's Fourth Count (under the Eighth Amendment to the U.S. Constitution), as Defendant David DiGuglielmo is no longer a party in this case.

BY THE COURT:

/s/ Michael M. Baylson  


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Michael M. Baylson, U.S.D.J.

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