

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

KENNETH MASSEY : CIVIL ACTION
 :
v. :
 : No. 09-3170
FAIR ACRES GERIATRIC CENTER :

ORDER

AND NOW, this 23rd day of March, 2012, “Defendants’ Fair Acres Geriatric Center and Delaware County’s Motion for Summary Judgment” (docket no. 39) is granted in part as follows:

1. Summary judgment is entered in favor of defendants on Count I of the complaint;
2. Summary judgment is entered in favor of defendants on the § 1983 claim contained in Count II of the complaint.

The remainder of defendants’ motion is denied. A memorandum accompanies this order.

BY THE COURT:

/s/Edmund V. Ludwig
Edmund V. Ludwig, J.