

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

<b>PETER SAUERS,</b>	:	
<b>Plaintiff,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
	:	
<b>LOWER SOUTHAMPTON</b>	:	
<b>TOWNSHIP, et al.,</b>	:	<b>No. 09-5364</b>
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this 19<sup>th</sup> day of **January, 2010**, upon consideration of Defendant Lower Southampton Township’s Motion to Dismiss Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6), and Plaintiff’s response thereto, and for the reasons stated in this Court’s Memorandum dated January 19, 2010, it is hereby **ORDERED** that:

1. The motion (Document No. 6) is **DENIED without prejudice**.
2. Plaintiff may file an Amended Complaint in this action. If he elects to do so, he must file the Complaint on or before **Friday, February 19, 2010**.
3. If Plaintiff fails to file an Amended Complaint by that date, Southampton Township may reinstate its motion to dismiss.

**BY THE COURT:**

**Berle M. Schiller, J.**