

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

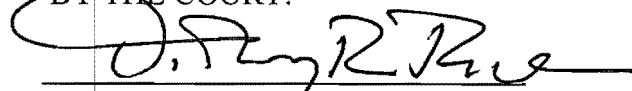
CENTENNIAL SCHOOL DISTRICT,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	
S.D., by and through his Parents and natural	:	
guardians Daniel and Lori D.,	:	NO. 10-CV-4129
Defendants.	:	

ORDER

And now, this 17th day of June, 2011, upon consideration of Plaintiff's Motion to Dismiss the Amended Answer and Counterclaim (Doc. No. 21), Defendant's Response in Opposition to Plaintiff's Motion to Dismiss (Doc. No. 23), and Plaintiff's Reply Brief (Doc. No. 25), it is hereby ORDERED that:

1. Plaintiff Centennial School District's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) (Doc. No. 21) is **DENIED** as to Counts II, V, VI, VII, and as to Counts III and IV insofar as those Counts request compensatory damages based upon § 504. The motion is **GRANTED** as to Counts III and IV only insofar as those counts seek relief under § 1983.

BY THE COURT:



HONORABLE TIMOTHY R. RICE
United States Magistrate Judge