

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

CARL R. GREENE,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
JOHN F. STREET, Chairman	:	NO. 10-4529
DEBRA L. BRADY,	:	
PATRICK J. EIDING,	:	
NELLIE W. REYNOLDS, and	:	
PHILADELPHIA HOUSING AUTHORITY	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 16th day of *February*, 2012, upon consideration of Defendants John F. Street, Debra L. Brady, Patrick J. Eiding, Nellie Reynolds, and Philadelphia Housing Authority’s Motion to Determine the Scope of the Deposition of Non-Party Witness, Carolyn Griffith (Docket No. 46), Plaintiff’s Motion for a Protective Order and Response in Opposition (Docket No. 47), and Defendants’ Reply (Docket No. 48), it is hereby **ORDERED** as follows:

1. Defendants’ Motion to Determine the Scope of the Deposition of Non-Party Witness, Carolyn Griffith (Docket No. 46) is **GRANTED**. Non-party witness, Carolyn Griffith, is not prohibited by the Settlement Agreement or otherwise from testifying in any manner concerning the sexual harassment claim she filed against Defendant Philadelphia Housing Authority and the settlement of that claim.
2. Plaintiff’s Motion for a Protective Order (Docket No. 47) is **DENIED**.¹

¹ Having considered the arguments in Plaintiff’s Motion, as well as the balancing factors set forth by the Third Circuit Court of Appeals in Pansy v. Borough of Stroudsburg, 23 F.3d 772, 787-91 (3d Cir. 1994), the Court concludes that a protective order is not warranted. To begin with, the issue of whether Plaintiff sexually harassed Carolyn Griffith and other women is highly relevant to this litigation. Plaintiff has alleged that Defendants breached his employment contract by terminating him “without cause based on wild accusations in Chairman Street’s biased and one-sided ‘investigation’ report,” and deprived him of his liberty interest in reputation by publishing false and defamatory statements about him during the course of his termination. (Am. Compl. ¶¶ 88-108.) The investigation report cited in the Amended Complaint includes allegations that Plaintiff was terminated in part because he had four sexual harassment suits filed against him. (*Id.* ¶¶ 68-70.) The Amended Complaint also cites to Defendant Street’s comment that Plaintiff was a “serial sexual harasser” as one of the false and defamatory statements made about him. (*Id.* ¶ 97.) Accordingly, the sexual harassment allegations are relevant to both of Plaintiff’s claims.

3. Defendants' request for expenses is **DENIED**.

BY THE COURT:

s/ Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.

Furthermore, the Court finds that Plaintiff's concerns about privacy are outweighed by the fact that this litigation concerns Plaintiff's employment as a high-ranking public official at a prominent city agency. As the Third Circuit held in Pansy, "privacy interests are diminished when the party seeking protection is a public person subject to legitimate public scrutiny." 23 F.3d at 787; see also United States v. Smith, 776 F.2d 1104, 1114 (3d Cir. 1985) ("[T]he public has a substantial interest in the integrity or lack of integrity of those who serve them in public office.").