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

KENNETH WASHINGTON	:	CIVIL ACTION
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, et al.	:	NO. 11-3275

ORDER

AND NOW, this 11th day of January, 2012, upon consideration of plaintiff's complaint (docket entry # 1), defendant City of Philadelphia's (the "City") motion to dismiss (docket entry # 4), and plaintiff's response thereto (docket entry # 6), and in accordance with the accompanying Memorandum, it is hereby ORDERED that:

1. The City's motion to dismiss (docket entry # 4) is GRANTED IN PART;

2. Count II of the complaint is DISMISSED against all defendants;

3. Plaintiff is GRANTED LEAVE to file an amendment to cure defects in Counts I and III by January 25, 2012, or we will dismiss with prejudice these Counts against the City for failure to state a claim; and

4. By January 25, 2012, Plaintiff shall SHOW GOOD CAUSE why we should not dismiss without prejudice his claims

against the John Doe officer defendants pursuant to Fed. R. Civ. P. 4(m).

BY THE COURT:

__\s\Stewart Dalzell