

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

ROBERT SMITH	:	CIVIL ACTION
	:	
v.	:	
	:	
PHILADELPHIA HOUSING	:	
AUTHORITY, et al.	:	NO. 12-329

ORDER

AND NOW, this 9th day of August, 2012, upon consideration of the motions to dismiss of the defendants Philadelphia Housing Authority ("PHA") (Docket No. 16); Edward Coryell and the International Brotherhood of Carpenters and Joiners of America, Local 8 ("Union") (Docket No. 21); and Carl Greene (Docket No. 32); the plaintiff's oppositions thereto; the defendants' briefs in reply, after oral argument on the motions on August 9, 2012; and for the reasons stated in a memorandum of law bearing today's date, IT IS HEREBY ORDERED that the motions are GRANTED.

IT IS FURTHER ORDERED that:

1. Count I of the Amended Complaint is DISMISSED as withdrawn against the PHA and Coryell and is DISMISSED WITHOUT PREJUDICE against the Union;
2. Count II is DISMISSED WITH PREJUDICE against the Union and Coryell;
3. Count III is DISMISSED as WITHDRAWN IN PART against the Union as to claims under 42 U.S.C. § 1985 and DISMISSED WITH PREJUDICE as to the

remainder;

4. Count IV is DISMISSED WITH PREJUDICE.

The plaintiff may file an amended complaint on or before September 10, 2012 as to Count I against the Union only.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.