

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

JOHN VOLK	:	CIVIL ACTION
	:	
v.	:	
	:	
THE SCHOOL DISTRICT OF PHILADELPHIA	:	NO. 12-1432

ORDER

AND NOW, this 19th day of February, 2013, upon consideration of the Defendant's Motion for Summary Judgment (Document No. 18), the plaintiff's response, the defendant's reply, and after oral argument, it is **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART**.

IT IS FURTHER ORDERED as follows:

1. To the extent the motion seeks summary judgment with respect to plaintiff's claim for retaliation, it is **DENIED**;
2. The motion is **GRANTED** as to all remaining claims; and,
3. Judgment will be entered at the conclusion of trial.

/s/Timothy J. Savage
 TIMOTHY J. SAVAGE, J.