

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

**ROBERTO VALDEZ,**

**Plaintiff**

**v.**

**CITY OF PHILADELPHIA, et al.,**

**Defendants**

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**CIVIL ACTION NO.:**

**2:12-CV-7168-CDJ**

**ORDER**

**AND NOW**, this 9<sup>th</sup> day of May, 2016, upon consideration of Defendant City of Philadelphia's Third Motion for Summary Judgment (Dkt No. 28), including Defendant's Statement of Facts (Dkt No. 28-1), Plaintiff's Response in Opposition (Dkt No. 36), and Defendant City of Philadelphia's Reply (Dkt No. 39), and upon consideration of Defendant's Memorandum of Law Regarding Admissibility of the DOJ Report (Dkt No. 33), Plaintiff's Supplemental Brief on the Admissibility of the Collaborative Reform Initiative Report on Philadelphia Police Department's Use of Deadly Force (Dkt No. 34), and Plaintiff's Supplemental Brief (Dkt No. 40), it is hereby **ORDERED** that Defendant City of Philadelphia's Motion for Summary Judgment is **DENIED**.

BY THE COURT:

/s/ C. Darnell Jones, II

C. DARNELL JONES, II     J.