

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

ANDRE BOYER,

Plaintiff,

v.

**THE CITY OF PHILADELPHIA,
COMMISSIONER CHARLES RAMSEY,
TWO JANE OR JOHN DOES,
CAPTAIN ROLLIN LEE,
LIEUTENANT KARYN BALDINI, and
OFFICER ANGEL ORTIZ,
Defendants.**

CIVIL ACTION

NO. 13-6495

ORDER

AND NOW, this 14th day of July, 2017, upon consideration of Defendant Police Officer Angel Ortiz's Motion for Summary Judgment (Document No. 60, filed Apr. 7, 2017), Plaintiff's Response to Defendant Ortiz'[s] Motion for Summary Judgment (Document No. 62 filed Apr. 28, 2017), Defendants City of Philadelphia, Charles Ramsey, Roland Lee, and Karyn Baldini's Motion for Summary Judgment (Document No. 61, filed Apr. 7, 2017), Plaintiff's Response to Defendants the City of Philadelphia, Charles Ramsey, Roland Lee, and Karyn Baldini's Motion for Summary Judgment (Document No. 63, filed Apr. 28, 2017), for the reasons set forth in the accompanying Memorandum dated July 14, 2017, **IT IS ORDERED** as follows:

1. Defendant Police Officer Angel Ortiz's Motion for Summary Judgment is **GRANTED**. All claims against defendant Angel Ortiz are **DISMISSED WITH PREJUDICE**.
2. Defendants City of Philadelphia, Charles Ramsey, Roland Lee, and Karyn Baldini's Motion for Summary Judgment is **GRANTED IN PART AND DENIED IN PART**, as follows:

a. That part of defendants' Motion that seeks summary judgment as to plaintiff's claim in Count One of the Second Amended Complaint against defendant the City of Philadelphia with respect to the alleged custom of "general disparate treatment" is **GRANTED**.

b. That part of defendants' Motion that seeks summary judgment as to Count Two of the Second Amended Complaint against defendants the City of Philadelphia and Charles Ramsey is **GRANTED**;

c. The Motion is **DENIED** in all other respects.

IT IS FURTHER ORDERED that a telephone conference for the purpose of scheduling further proceedings will be conducted in due course.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.