

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

<p>WILLIAM CLOYD</p> <p style="text-align:center">v.</p> <p>DELAWARE COUNTY, ET AL.</p>	<p>CIVIL ACTION</p> <p>NO. 14-4833</p>
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ORDER

And NOW, this 10th day of September 2015, for the reasons stated in the foregoing memorandum, upon consideration of Defendants Delaware County and Community Education Centers Motion to Dismiss Plaintiff's Second Amended Complaint (ECF 27), and Motion of Defendants Dr. Ronald Phillips, Holly Craig, CRNP and Kelly Mullan, PA-C to Dismiss Plaintiff's Second Amended Complaint (ECF 26), and all responses and replies thereto, it is hereby **ORDERED** that:

1. The Motion to Dismiss of Defendants Delaware County and Community Education Centers ("CEC") is **DENIED**, and Plaintiff may proceed with the claim under Monell v. Department of Social Services, 436 U.S. 658 (1978) under the theory discussed in the accompanying Memorandum.
2. The Motion to Dismiss of Defendant Dr. Phillips is **DENIED** as to the § 1983, negligence, and punitive damages claim.
3. The Motion to Dismiss of Defendants Ms. Craig and Ms. Mullan is **GRANTED WITH PREJUDICE**.

BY THE COURT:

/s/ Michael M. Baylson

Michael M. Baylson, U.S.D.J.