

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

SUSAN DICHTER : CIVIL ACTION
: :
v. : :
: :
CITY OF PHILADELPHIA et al. : NO. 14-5611

ORDER

AND NOW, this 1st day of April, 2015, upon consideration of defendant City of Philadelphia's ("City") partial motion to dismiss (docket entry # 14) and plaintiff's opposition thereto and her motion to amend her amended complaint (docket entry # 16) and defendant Public Health Management Corporation's ("PHMC") motion to dismiss (docket entry # 15) and plaintiff's opposition thereto and motion to amend her amended complaint (docket entry # 17), it is hereby ORDERED that:

1. The City's motion to dismiss is GRANTED IN PART and DENIED IN PART;
2. Plaintiff's claim for breach of contract as to the City is DISMISSED;
3. The City's motion to dismiss plaintiff's First Amendment retaliation claim is DENIED;
4. Plaintiff's claim of conspiracy to deprive her of her civil rights under 42 U.S.C. § 1983 as to the City is DISMISSED;
5. Plaintiff's claim that the City violated its Charter and Civil Service Regulations is DISMISSED;
6. Plaintiff's claim for wrongful discharge against the City is DISMISSED;
7. Plaintiff's claim of civil conspiracy against the City is DISMISSED;
8. Plaintiff's claim of a Due Process violation by the City is DISMISSED;

9. PHMC's motion to dismiss is GRANTED IN PART and DENIED IN PART;
10. Plaintiff's claim of a Due Process violation by PHMC is DISMISSED;
11. Plaintiff's claim of conspiracy to deprive her of her civil rights under 42 U.S.C. § 1983 as to PHMC is DISMISSED;
12. Plaintiff's claim of civil conspiracy as to PHMC is DISMISSED;
13. PHMC's motion to dismiss plaintiff's First Amendment retaliation claim is DENIED;
14. Plaintiff's claim for wrongful discharge against PHMC is DISMISSED;
15. Plaintiff's breach of contract claim against PHMC is DISMISSED;
16. Plaintiff's motion for leave to amend her complaint is DENIED;
17. By noon on April 8, 2015, the parties shall INFORM the Court by fax (215-580-2156) whether mediation would likely be productive before Magistrate Judge Hart; and
18. Further scheduling shall ABIDE receipt of the parties' facsimile.

BY THE COURT:

/s/ Stewart Dalzell, J.
Stewart Dalzell, J.