

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

FREIDMAN, et al.	:	CIVIL ACTION
	:	
v.	:	
	:	NO. 14-6071
	:	
PHILADELPHIA PARKING AUTHORITY, et al.	:	

ORDER

AND NOW, this 14th day of May 2015, upon consideration of Defendants' Motion to Dismiss the Complaint (ECF Doc. No. 9), Plaintiffs' Opposition (ECF Doc. No. 12), Defendants' Reply (ECF Doc. No. 16), following oral argument and in accord with the accompanying Memorandum, it is **ORDERED** the Defendants' Motion to Dismiss is **GRANTED in part and DENIED in part**:

1. Defendants' Motion to Dismiss Count I claiming retaliation under § 1983 is **DENIED** and Plaintiffs may proceed on claims for retaliation in response to exercise of Plaintiffs' First Amendment right to speech and to protest;
2. Defendants' Motion to Dismiss Count II alleging violations of procedural and substantive due process and equal protection is **GRANTED**; and,
3. Defendants' Motion to Dismiss Count III seeking mandamus is **GRANTED**.


KEARNEY, J.