

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

JOHN HARGRAVE	:	CIVIL ACTION
Plaintiff,	:	
	:	No. 15-201
v.	:	
	:	
CHARLES RAMSEY and	:	
THE CITY OF PHILADELPHIA	:	
Defendants.	:	

ORDER

This 20th day of May, 2015, upon consideration of Defendant's Motion to Dismiss and Plaintiff's Response, it is **ORDERED** as follows:

1. Count II of Plaintiff's Complaint, alleging First Amendment Retaliation, is **DISMISSED WITHOUT PREJUDICE**;
2. Count III of Plaintiff's Complaint, alleging *Monell* liability, is **NOT DISMISSED**; and
3. Count IV of Plaintiff's Complaint, alleging race discrimination in violation of the Pennsylvania State Constitution, is **DISMISSED WITH PREJUDICE**.

/s/ Gerald Austin McHugh
United States District Court Judge