

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

**JAMES NACE and APRIL NACE as
Guardians of E.N., A MINOR,**

Plaintiffs,

v.

**PENNRIDGE SCHOOL DISTRICT, ERIC
ROMIG, THOMAS CREEDEN, DAVID
BABB, FAITH CHRISTIAN ACADEMY,
RYAN CLYMER and RUSSELL
HOLLENBACH,**

Defendants.

CIVIL ACTION

NO. 15-333

ORDER

AND NOW, this 6th day of May, 2016, upon consideration of Defendants Pennridge School District, Thomas Creeden, and David Babb's (the "Pennridge Defendants") Motion for Summary Judgment (ECF No. 58), Plaintiffs James Nace and April Nace's Response in Opposition thereto (ECF No. 73), and the Pennridge Defendants' Reply in Support thereof (ECF No. 78); Defendant Faith Christian Academy's Motion for Summary Judgment (ECF No. 53), Plaintiffs' Response in Opposition thereto (ECF No. 70), Defendant Faith Christian Academy's Reply in Support thereof (ECF No. 75); Defendants Ryan Clymer and Russell Hollenbach's Motion for Summary Judgment (ECF No. 52), Plaintiffs' Response in Opposition thereto (ECF No. 72), and Defendants Clymer and Hollenbach's Reply in Support thereof (ECF No. 77); Plaintiffs' Motion for Partial Summary Judgment Against Defendant Eric Romig (ECF No. 50); Defendant Eric Romig's Response in Opposition thereto (ECF No. 81); and Plaintiffs' Reply in Support thereof (ECF No. 82); Defendant Faith Christian Academy's Motion in Limine to Preclude Testimony of Brad M. Jackson, Esq. (ECF No. 51); Plaintiffs' Response in Opposition thereto (ECF No. 65); and Defendant Faith Christian Academy's Reply in Support thereof (ECN No. 67); Defendant Faith Christian Academy's Motion in Limine to Preclude the Testimony of Richard Gelles, Ph.D. (ECF No. 56); Plaintiffs' Response in Opposition thereto (ECF No. 64); and Defendant Faith Christian Academy's Reply in Support thereof (ECF No. 68); and the Pennridge Defendants' Motion in Limine to Preclude the Testimony of Richard Gelles, Ph.D.

(ECF No. 60); Plaintiffs' Response in Opposition thereto (ECF No. 66), and the Pennridge Defendants' Reply in Support thereof (ECF No. 69); and for the reasons set forth in the Court's Opinion of May 6, 2016 (ECF No. 83), **IT IS ORDERED** that:

- (1) The Pennridge Defendants' motion for summary judgment (ECF No. 58) is **GRANTED** and **JUDGMENT IS ENTERED IN FAVOR** of Defendants Pennridge School District, Thomas Creeden, and David Babb, and **AGAINST** Plaintiffs;
- (2) Defendant Faith Christian Academy's motion for summary judgment (ECF No. 53) is **GRANTED** and **JUDGMENT IS ENTERED IN FAVOR** of Defendant Faith Christian Academy, and **AGAINST** Plaintiffs;
- (3) Defendants Clymer and Hollenbach's motion for summary judgment (ECF No. 52) is **GRANTED** and **JUDGMENT IS ENTERED IN FAVOR** of Defendants Ryan Clymer and Russell Hollenbach, and **AGAINST** Plaintiffs;
- (4) Plaintiffs' motion for partial summary judgment (ECF No. 50) is **GRANTED in part and DENIED in part** as follows:
 - (a) Plaintiffs' motion is **GRANTED** with respect to Count V (assault and battery) and **JUDGMENT IS ENTERED IN FAVOR** of Plaintiffs, and **AGAINST** Defendant Eric Romig on Count V (assault and battery); and
 - (b) Plaintiffs' motion is **DENIED** with respect to Count I (section 1983) and Count IV (intentional infliction of emotional distress).
- (5) The Pennridge Defendants' motion in limine to preclude the testimony of Richard Gelles, Ph.D. (ECF No. 60) is **DISMISSED** as **MOOT**; and
- (6) Defendant Faith Christian Academy's motions in limine to preclude the testimony of Richard Gelles, Ph.D. (ECF No. 56), and Brad M. Jackson, Esq. (ECF No. 51) are **DISMISSED** as **MOOT**.

BY THE COURT:

/S/WENDY BEETLESTONE, J.

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