

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

SALVATORE CHIMENTI, ET AL.	:	CIVIL ACTION
	:	
v.	:	
	:	
PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.	:	NO. 15-3333

**ORDER**

**AND NOW**, this 21st day of March, 2016, upon consideration of the DOC Defendants' Motion to Dismiss Complaint (Docket No. 11), the Motion to Dismiss and Sever filed by the Medical Defendants (Docket No. 14), all documents filed in connection therewith, and for the reasons stated in the Memorandum filed on this date, **IT IS HEREBY ORDERED** as follows:

1. The DOC Defendants' Motion to Dismiss Complaint (Docket No. 11) is **GRANTED IN PART AND DENIED IN PART**. The Motion is **GRANTED** as to the claim asserted against Defendant Paul Noel in Count I and Count I is **DISMISSED** as against Defendant Noel. The Motion is also **GRANTED** as to the claim asserted against Defendant John Wetzel in Count III and Count III is **DISMISSED** as against Defendant Wetzel. The DOC Defendants' Motion to Dismiss Complaint is **DENIED** in all other respects.

2. The Motion to Dismiss and Sever filed by the Medical Defendants (Docket No. 14) is **GRANTED IN PART AND DENIED IN PART**. The Motion is **GRANTED** as to the claims asserted in Count I against Defendants Andrew Dancha, Dr. John Hochberg, Dr. Nicholas Scharff, Dr. Thomas Lehman, and Correct Care Solutions and Count I is **DISMISSED** against

Mr. Dancha, Dr. Hochberg, Dr. Scharff, Dr. Lehman and Correct Care Solutions. The Motion to Dismiss and Sever is **DENIED** in all other respects.

BY THE COURT:

/s/John R. Padova

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John R. Padova, J.