

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

STEPHEN B. LUONGO and STEVE	:	
LUONGO’S TOWING, INC.,	:	
	:	CIVIL ACTION
Plaintiffs,	:	
	:	
v.	:	
	:	NO. 15-4087
PENNSYLVANIA STATE POLICE,	:	
TOMAS YATES, LOUIS G. VITALI,	:	
JAMES P. RAYKOVITZ, ROBERT	:	
REILLY, JUSTIN LANZA, DERRICK	:	
WATFORD and ERIC J. TURK,	:	
	:	
Defendants.	:	

**ORDER**

**AND NOW**, this *11th* day of *January*, 2016, upon consideration of the Motion to Dismiss by Defendants Pennsylvania State Police, Tomas Yates, Louis G. Vitali, James P. Raykovitz, Robert Reilly, Justin Lanza, Derrick Watford, and Eric J. Turk (collectively, “Defendants”) (Docket No. 12), the Response of Plaintiffs Stephen B. Luongo and Steve Luongo’s Towing, Inc. (collectively “Plaintiffs”) (Docket No. 13), Defendants’ Reply Brief (Docket No. 14), and Defendants’ Notice of Recent Decision (Docket No. 15), it is hereby

**ORDERED** that Motion is **GRANTED** as follows:

1. All claims against Defendant Pennsylvania State Police are **DISMISSED WITH PREJUDICE**.
2. Count I of the Complaint as against all Defendants **DISMISSED WITH PREJUDICE**.
3. Count II of the Complaint as against all Defendants is **DISMISSED WITH**

**PREJUDICE.**

4. Count III of the Complaint is **DISMISSED WITHOUT PREJUDICE**. Plaintiffs shall have twenty (20) days from the date of this Order to file an amended complaint correcting the deficiencies identified in this Court's accompanying Memorandum.

It is so **ORDERED**.

BY THE COURT:

*s/Ronald L. Buckwalter*  
RONALD L. BUCKWALTER, S.J.