

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

JOHN SIMMONS,

Plaintiff,

v.

SIMPSON HOUSE, INC. et al.,

Defendants.

CIVIL ACTION
No. 15-06636

ORDER

AND NOW, this 12th day of December, 2016, after consideration of Simpson House, Inc. and Simpson House Foundation's Motion to Dismiss, (ECF No. 48), Defendant Prime Healthcare Services-Roxborough, LLC d/b/a Roxborough memorial Hospital's Motion to Dismiss, (ECF No. 48), and John Simmons's Responses, (ECF Nos. 49 & 53), it is **ORDERED** that:

1. The motion is **GRANTED** as to Counts 3 and 18 and **DENIED** as to Counts 1, 2, 4, 5, 8, 9, 10, 11; Simmons may amend Count 18 of his complaint on or before **December 22, 2016**;
2. Count 3 is dismissed with prejudice.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.