

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

**ALAIN ALCIS, a minor, by his parent and
natural guardian, Yolette Alcis, and
YOLETTE ALCIS,
Plaintiffs,**

v.

**THE SCHOOL DISTRICT OF
PHILADELPHIA, and
THE SCHOOL REFORM COMMISSION,
Defendants.**

CIVIL ACTION

NO. 16-1684

ORDER

AND NOW, this 12th day of December, 2016, upon consideration of defendants' Motion to Dismiss Plaintiff's Second Amended Complaint (Document No. 10, filed July 28, 2016), and plaintiffs' Response in Opposition to Defendants' Motion to Dismiss Plaintiff's [sic] Second Amended Complaint (Document No. 13, filed August 18, 2016), for the reasons set forth in the accompanying Memorandum dated December 12, 2016, **IT IS ORDERED** that defendants' Motion to Dismiss is **DENIED WITHOUT PREJUDICE** to defendants' right to raise the issues presented after completion of discovery by motion for summary judgment and/or trial.

IT IS FURTHER ORDERED that a Preliminary Pretrial Conference will be scheduled in due course. Discovery may proceed in the interim.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.