

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

JAMES R. MEADOWS	:	
	:	
v.	:	CIVIL ACTION
	:	NO. 16-2074
	:	
SOUTHEASTERN PENNSYLVANIA	:	
TRANSPORTATION AUTHORITY, et al.	:	

ORDER

AND NOW, this 2nd day of November, 2016, upon consideration of the motion to dismiss plaintiff's amended complaint, Dkt. No. 9, by defendants, Southeastern Pennsylvania Transportation Authority (SEPTA) and SEPTA Police Officers Edward Kaiser and Troy Parham, Dkt. No. 14, and plaintiff James Meadows's response, Dkt. No. 15, it is ORDERED that defendants' motion is GRANTED in part and DENIED in part as follows:

1. Defendants' motion with respect to Count I¹ is GRANTED and plaintiff's claim is DISMISSED with leave to amend on or before December 2nd, 2016.
2. Defendants' motion with respect to Counts IV and V is GRANTED to the extent plaintiff brings these claims against the defendant officers in their official capacities and DENIED to the extent plaintiff brings these claims against the defendant officers in their personal capacities.
3. Defendants' motion with respect to plaintiff's request for punitive damages is DENIED.

s/Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.

¹ Although there is no enumerated "Count I" in the amended complaint, I refer to paragraphs E through I of the amended complaint, Dkt. No. 9 at ECF p. 22, as Count I.