

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

GWENDOLYN PORTER, *Administratrix* : CIVIL ACTION  
*of the Estate of Jamere Porter, Deceased* :  
 :  
v. :  
 :  
CROZER CHESTER :  
MEDICAL CENTER, INC., et al. : NO. 16-2252

ORDER

AND NOW, this 1st day of August, 2016, upon consideration of defendants Crozer-Chester Medical Center, Inc., Mohammed E. Budeir, M.D., Timothy J. Harrison, D.O., and Marcin A. Jankowski, D.O.'s motion to dismiss (docket entry #8), defendant Ronald B. Phillips's motion to dismiss (docket entry #10), and defendants Communication Education Center, Inc., the County of Delaware, Pennsylvania, Frank Green, Margaret Griffith, James E. Hyman, Susan Kendra, Lynn Milano, Dorothy Murry, Steve C. Tomlin, and Melissa Weglarz's motion to dismiss (docket entry #12), plaintiff's responses in opposition thereto, Phillips's reply brief (docket entry #24), and Communication Education Center, Inc.'s motion for leave to file a reply brief (docket entry #26), and for the reasons set forth in our Memorandum issued this day, it is hereby ORDERED that:

1. Defendants Crozer-Chester Medical Center, Inc., Mohammed E. Budeir, M.D., Timothy J. Harrison, D.O., and Marcin A. Jankowski, D.O.'s motion to dismiss (docket entry #8) is DISMISSED AS MOOT;
2. Defendant Ronald B. Phillips's motion to dismiss (docket entry #10) is GRANTED IN PART;
3. Defendants Communication Education Center, Inc., the County of Delaware, Pennsylvania, Frank Green, Margaret Griffith, James E. Hyman, Susan Kendra, Lynn

Milano, Dorothy Murry, Steve C. Tomlin, and Melissa Weglarz's to motion to dismiss (docket entry #12) is GRANTED IN PART;

4. Counts III, IV, VII, X, and XI of the Complaint are DISMISSED WITHOUT PREJUDICE;

5. Ronald B. Phillips's reply brief (docket entry #24), filed without leave of Court, is STRICKEN;

6. Communication Education Center, Inc.'s motion for leave to file a reply brief (docket entry #26) is GRANTED, and the Clerk of Court shall DOCKET Exhibit A of that motion; and

7. Plaintiff may FILE an amended complaint curing the deficiencies identified in this Court's Memorandum by noon on August 22, 2016, which the Court will deem timely filed for purposes of the statute of limitations.

BY THE COURT:

/s/ Stewart Dalzell, J.  
Stewart Dalzell, J.