

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

THOMAS KELLY, JR., *et al.*,
Plaintiffs,

v.

CITY OF PHILADELPHIA,
Defendant.

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CIVIL ACTION NO. 16-2963

ORDER

AND NOW, this 10th day of January 2017, upon consideration of Defendant’s Motion to Dismiss for Failure to State a Claim (Doc. No. 6), to which Plaintiffs have not responded, the Court hereby **ORDERS** that Defendant’s Motion is **GRANTED** and Plaintiffs’ Complaint is **DISMISSED WITH PREJUDICE** for the reasons set forth in the accompanying memorandum opinion. The Clerk is **DIRECTED** to **CLOSE** this case.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.