

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

LAMONT DANIELS,	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, et al.,	:	No. 16-4270
Defendants.	:	

ORDER

AND NOW, this 3rd day of **January 3, 2017**, upon consideration of Defendants’ Partial Motion to Dismiss Plaintiff’s Amended Complaint for Failure to State a Claim, Plaintiff’s response thereto, and for the reasons provided in this Court’s Memorandum dated January 3, 2017, it is hereby

ORDERED that:

1. Defendants’ motion (Document No. 6) is **GRANTED in part and DENIED in part**.
2. Counts II, IV, and VI of Plaintiff’s Amended Complaint are **DISMISSED**.
3. Count I of Plaintiff’s Amended Complaint shall proceed to discovery.

BY THE COURT:

Berle M. Schiller, J.