

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

CHRISTOPHER KOUKOS, et al.,

Plaintiffs,

v.

CHESTER COUNTY, et al.,

Defendants.

CIVIL ACTION
NO. 16-4602

ORDER

AND NOW, this 7th day of February, 2017, upon consideration of the motion to dismiss filed by Defendants Chester County, McFadden, Phillips and Correctional Does 1–7 (ECF No. 11), and Plaintiffs’ response in opposition (ECF No. 13), it is hereby **ORDERED** that the motion is **GRANTED in part** and **DENIED in part** in accordance with the following:

1. The motion is **GRANTED** with respect to Plaintiffs’ Eighth Amendment claims against Correctional Doe 1, Correctional Doe 7, and McFadden and Phillips, in both their official and individual capacities;
2. The motion is **DENIED** with respect to Plaintiffs’ Eighth Amendment claims against Correctional Does 2–6;
3. The motion is **GRANTED** with respect to Plaintiffs’ Monell claims premised on alleged policies of limiting medical care due to financial considerations and deliberately ignoring medical requests from opiate addicts;
4. The motion is **DENIED** with respect to Plaintiffs’ Monell claims premised on an alleged failure to establish policies regarding the medical care of inmates undergoing opiate detoxification, an alleged policy of ignoring medical directives of outside doctors and an

alleged failure to train correctional officers in identifying and handling inmates
undergoing opiate detoxification.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.