

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

CHRISTOPHER LOPEZ,

Plaintiff,

v.

TRANSPORTATION WORKERS UNION
LOCAL 234, et al.

Defendants.

CIVIL ACTION
NO. 16-05515

ORDER

AND NOW, on this 19th day of June, 2017, upon consideration of Defendants' Motions to Dismiss (ECF Nos. 11 & 12), and Plaintiff Lopez's Responses (ECF Nos. 13 & 14), it is hereby **ORDERED** that both Motions are **GRANTED in part** and **DENIED in part** consistent with the following:

1. SEPTA's Motion (ECF No. 12) is **GRANTED** with respect to Count I and Lopez's breach of contract claim is **DISMISSED**. SEPTA's Motion is **DENIED** with respect to Count III;
2. Local 234's Second Motion to Dismiss (ECF No. 11) is **GRANTED** with respect to Count III and Lopez's due process claim against Local 234 is **DISMISSED**. Local 234's Motion is **DENIED** with respect to Count II.
3. Local 234's Motion to Dismiss (ECF No. 8) is **DENIED as moot**.⁷

⁷ Local 234 filed a Motion to Dismiss on January 17, 2017. (ECF No. 8.) Lopez filed an Amended Complaint on January 24, and Local 234 filed a Second Motion to Dismiss on February 3, (ECF No. 11), obviating the need for the Court to decide the January 17 Motion.

BY THE COURT:

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