

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

GERALD ANDREWS :
Plaintiff,

v. :

KNIGHT, *Philadelphia Corrections Officer* :
Sergeant, individually and in his official capacity; :
FREDRICKS, *Philadelphia Corrections Officer,* :
individually and in his official capacity; :
SEAGRAVES, *Philadelphia Correction Officer,* :
individually and in his official capacity; HOBER, :
Philadelphia Corrections Officer, individually and :
in his official capacity; YOUNG, *Philadelphia* :
Correction Officer, individually and in his official :
capacity; WALKER, *Philadelphia Correction* :
Officer, individually and in his official capacity; :
CITY OF PHILADELPHIA; CAPT. RAHMAN; :
CO1 BLAIR; CAPT. LOVE; CAPT. GRAY; :
CO1 JEFFERSON; CO1 DOTSON; MAJOR :
MARTIN; CO1 MULVENNA; MAJOR MAY; :
CO1 BUTLER; LOUIS GIORLA; and, :
CAPT. JOHNSON :

Defendants.

CIVIL ACTION
NO. 17-0962

ORDER

AND NOW, this 7th day of November 2022, upon consideration of: Defendants Love, City of Philadelphia, Dotson, Giorla, Knight and Martin's Motion for Partial Summary Judgment (ECF No. 91); Plaintiff's Opposition thereto (ECF No. 96); and, Defendants' Reply (ECF No. 98), it is hereby ORDERED as follows:

- (1) Defendants' Motion is GRANTED as to Count I of Plaintiff's Second Amended Complaint with respect to individual Defendants Giorla, Dotson, Martin and Love;
- (2) Defendants' Motion is GRANTED as to Count II against Defendants Giorla and Dotson but DENIED as to Defendants Knight, Martin and Love;

- (3) Defendants' Motion is GRANTED as to Counts III and IV as to all Defendants;
- (4) Defendants City and Giorla's Motion is DENIED as to Count V;
- (5) The parties shall contact Magistrate Judge Lynne A. Sitarski to schedule a settlement conference to be held within forty-five (45) days of the date of this Order;¹ and,
- (6) Within two (2) weeks of the settlement conference, the parties shall provide this Court with a jointly prepared written status report.

BY THE COURT:

/s/ C. Darnell Jones, II J.

¹ Said report shall inform the court as to whether the parties would be amenable to continuing their settlement efforts with Judge Sitarski or participating in the Court-Annexed Mediation Program at no cost to either side. A list of approved mediators participating in the Program may be found at: <http://www.paed.uscourts.gov/documents2/mediation>.