

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

BLANCHE A. BROWN,	:	
	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	NO. 17-1551
UNITED STATES, <u>ET AL.</u>,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 6th day of February, 2018, upon consideration of Defendants’ Motion to Dismiss Plaintiff’s Complaint (Doc. No. 6), Plaintiff’s Response in Opposition and Counter-motion for Summary Judgment (Doc. No. 9), Defendants’ Reply and Response in Opposition to the Counter-motion (Doc. No. 10), and Plaintiff’s Reply (Doc. No. 11), it is hereby **ORDERED** as follows:

1. Defendants’ Motion to Dismiss (Doc. No. 6) is **GRANTED IN PART** and **DENIED IN PART**:
 - a. Counts 1–3 and 5–14 of the Complaint are dismissed for lack of subject-matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1);
 - b. Count 15 of the Complaint is dismissed for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6);
 - c. Count 4 of the Complaint is dismissed against all Defendants **EXCEPT** Defendant United States of America.
2. Plaintiff’s Counter-motion for Summary Judgment (Doc. No. 9) is **DENIED**.

BY THE COURT:

/s/ **Mitchell S. Goldberg**

MITCHELL S. GOLDBERG, J.