

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

**NICOLA ARGENTINA,**  
**Plaintiff,**

**CIVIL ACTION**

**v.**

**BARBARA GILLETTE and CITY OF  
PHILADELPHIA,**  
**Defendants.**

**NO. 17-2908**

**ORDER**

**AND NOW**, this 30th day of January, 2018, upon consideration of the Defendants' Motion to Dismiss (ECF No. 13) and Plaintiff's Response to the Motion (ECF No. 16), **IT IS ORDERED** that Defendant's Motion to Dismiss is **GRANTED IN PART** with respect to all of Plaintiff's claims in his Complaint (ECF No. 1) except Count II (42 U.S.C. § 1982). **IT IS FURTHER ORDERED** that Defendant's Motion to Dismiss is **DENIED** with respect to Count II of the Complaint.

**BY THE COURT:**

/s/Wendy Beetlestone, J.

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**WENDY BEETLESTONE, J.**