

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

**ROBERT TOMASZEWSKI,
Plaintiff,**

v.

**CITY OF PHILADELPHIA,
Defendant.**

CIVIL ACTION

NO. 17-4675

ORDER

AND NOW, this 14th day of May, 2020, upon consideration of Plaintiff's Motion for Partial Summary Judgment (Document No. 35, filed August 19, 2019), Defendant City of Philadelphia's Response in Opposition to Plaintiff's Motion for Partial Summary Judgment (Document No. 38, filed September 20, 2019), Plaintiff's Reply Brief in Support of Plaintiff's Motion for Partial Summary Judgment (Document No. 42, filed October 4, 2019), Defendant's Motion for Summary Judgment (Document No. 36, filed August 19, 2019), plaintiff's response in opposition to defendant's motion for summary judgment, incorrectly titled Plaintiff's Memorandum of Law in Support of Plaintiff's Motion for Partial Summary Judgment (Document No. 37, filed September 16, 2019), and Defendant's Reply Brief in Further Support of its Motion for Summary Judgment (Document No. 41, filed October 4, 2019), for the reasons stated in the accompanying Memorandum dated May 14, 2020, **IT IS ORDERED** as follows:

1. Plaintiff's Motion for Partial Summary Judgment is **DENIED**; and
2. Defendant's Motion for Summary Judgment is **GRANTED**. **JUDGMENT IS**

ENTERED in **FAVOR** of defendant, City of Philadelphia, and **AGAINST** plaintiff, Robert Tomaszewski.

IT IS FURTHER ORDERED that the Clerk of Court shall **MARK** the case **CLOSED**.

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.