

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

ANTHONY POWERS,

Plaintiff,

v.

**SOUTHEASTERN PENNSYLVANIA
TRANSPORTATION AUTHORITY *et al.*,**

Defendants.

Civil Action

No. 19-cv-4685

ORDER

AND NOW, this 18th day of May, 2023, upon consideration of Defendants' Motion for Summary Judgment (ECF No. 65), and the responses and replies thereto, and for the reasons set out in the accompanying memorandum opinion, it is hereby **ORDERED** that the motion is **GRANTED in part and DENIED in part as follows**:

1. All claims against Defendants Locks and Waddell are **DISMISSED**.
2. All claims under the Americans with Disabilities Act (including retaliation claims under that Act) and for disability discrimination under the Pennsylvania Human Relations Act are **DISMISSED**.
3. The motion is **DENIED** as to:
 - a. Powers's race discrimination claims against Defendants SEPTA (Title VII and the Pennsylvania Human Relations Act) and Benson (42 U.S.C. § 1981 and the Pennsylvania Human Relations Act) in regard to Powers's one-day suspension; and

- b. Powers's retaliation claims against Defendants SEPTA (Title VII and the Pennsylvania Human Relations Act) and Benson (the Pennsylvania Human Relations Act) in regard to Powers's one-day suspension and termination.

BY THE COURT:

/s/ *Mitchell S. Goldberg*
MITCHELL S. GOLDBERG, J.