

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

DAMIAN HENRY	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	NO. 08-1348
	:	
TODD BUSKIRK, et al	:	
Defendants	:	

ORDER

AND NOW, this 21st day of February, 2011, upon consideration of the motions to dismiss filed by defendants PrimeCare Medical and Dr. Victoria Gessner, and the plaintiff's response thereto, it is hereby **ORDERED** that, as set forth in the accompanying memorandum:

1. The motion to dismiss filed by defendant PrimeCare Medical (Doc. No. 19) is **GRANTED**. The action against PrimeCare Medical is dismissed with prejudice.
2. The motion to dismiss filed by defendant Dr. Victoria Gessner (Doc. No. 25) is **GRANTED** as to the ADA claims asserted against Dr. Gessner and **DENIED** as to the Section 1983 claims asserted against Dr. Gessner. The ADA claim against Dr. Gessner is dismissed with prejudice.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.