

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

<b>STEPHEN RUDER</b> Plaintiff	:	<b>CIVIL ACTION</b>
v.	:	
<b>PEQUEA VALLEY SCHOOL DISTRICT, et al.</b> Defendants.	:	<b>10-442</b>

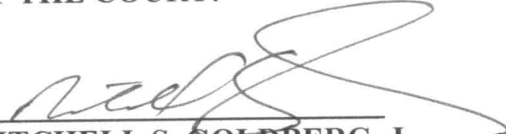
**ORDER**

**AND NOW**, this 12<sup>th</sup> day of May, 2011, upon consideration of the “Motion to Dismiss pursuant to F.R.C.P. 12(b)(2) and 12(b)(6)” (doc. no. 7) “Defendant’s Motion to Dismiss Plaintiff’s Complaint” (doc. no. 8), and the responses in opposition, it is hereby **ORDERED** that the motions are **GRANTED** in part and **DENIED** in part as follows:

- Counts VI, VII, IX, X, are **DISMISSED**;
- Count V is **DISMISSED** as to the Regional Gastroenterology Associates of Lancaster; and
- Count XIII is **DISMISSED** solely as to Defendants Patrick Hallock and Defendant Brian Ferris.

Plaintiff has fourteen days from the date of this Order to amend his amended complaint as to Count I. Application for dismissal of the claims may be made if a timely amendment is not forthcoming within that time. If the plaintiff does not desire to amend, he may file an appropriate notice with the Court asserting his intent to stand on the complaint.

BY THE COURT:

  
MITCHELL S. GOLDBERG, J.