

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

STEVEN STROUD	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 10-3355
RYAN BOORSTEIN, ET AL.	:	

ORDER

AND NOW, this 19th day of May, 2014, upon consideration of the Motion of Defendants Ryan Boorstein, Andrew Ocetnik, Daniel Bonham, and Brian Herncane for Partial Summary Judgment (ECF No. 38), and all documents submitted in support thereof, and in opposition thereto, it is **ORDERED** that the Motion is **GRANTED** in part, and **DENIED** in part, as follows:

1. Defendants' Motion is **GRANTED** on Plaintiff's false arrest claim as to all Defendants (Count 5);
2. Defendants' Motion is **GRANTED** on Plaintiff's malicious prosecution claim as to all Defendants (Count 4);
3. Defendants' Motion is **GRANTED** on Plaintiff's denial of medical treatment claim under the Fourteenth Amendment as to all Defendants (Count 2);
4. Defendants' Motion is **GRANTED** on Plaintiff's deprivation of property due process claim as to Defendants Ryan Boorstein, Daniel Bonham, and Brian Herncane (Count 2);
5. Defendants' Motion is **DENIED** on Plaintiff's claims for excessive force (Count 1), and assault and battery (Count 3) as to Defendant Daniel Bonham;

6. Defendants' Motion is **GRANTED** on Plaintiff's claims for excessive force (Count 1), and assault and battery (Count 3) as to Defendant Brian Herncane.¹

IT IS SO ORDERED.

BY THE COURT:



R. BARCLAY SURRICK, J.

¹ The following claims survive summary judgment: (1) Plaintiff's excessive force claim against Defendants Ryan Boorstein, Andrew Ocetnik and David Bonham (Count 1); (2) Plaintiff's assault and battery claims against Defendants Ryan Boorstein, Andrew Ocetnik and David Bonham (Count 3); and Plaintiff's deprivation of property claim against Andrew Ocetnik (Count 2).