

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

NICHOLAS REINHART, ET AL.	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 10-7384
PNC BANK, NA, ET AL.	:	

ORDER

AND NOW this 2nd day of April, 2012, upon consideration of Defendant the Borough of Ephrata's Motion to Dismiss Plaintiffs' Complaint (ECF No. 4), and Defendants Police Officers Bright, O'Hanlon and Martin's Motion to Dismiss the Complaint (ECF No. 32), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** as follows:

1. Defendant the Borough of Ephrata's Motion to Dismiss is **GRANTED**. Count VIII of the Amended Complaint is dismissed.
2. Plaintiffs' request to amend Count VIII of the Amended Complaint is **GRANTED**. Plaintiffs shall file an amended complaint on or before May 2, 2012.
3. Defendants Police Officers' Motion to Dismiss will be **GRANTED** in part and **DENIED** in part as follows:
 - A. Count VI of the Amended Complaint is **DISMISSED**.

B. Defendants' Motion to Dismiss Count VII of the Amended Complaint is
DENIED.

IT IS SO ORDERED.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'R. Surrick', written over a horizontal line.

R. BARCLAY SURRICK, J.