

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

MATTHEW FARRELL,
Plaintiff,

v.

**NORTHAMPTON COUNTY,
C.O. RYAN KELLY,
DANIEL PICCONE,
JOHN STOFFA,
ROBERT MEYERS,
TODD BUSKIRK,
JOHN CONKLIN,
WILLIAM SWEENEY,
CONRAD LAMONT,
JOHN DOES I-X, and
PAUL SERRANO,**
Defendants.

CIVIL ACTION

NO. 11-3665

ORDER

AND NOW, this 31st day of July, 2015, upon consideration of Defendants' Motion for Summary Judgment¹ (Document No. 67, filed September 2, 2014), Defendants' Statement of Material Uncontested Facts (Document No. 68, filed September 2, 2014), Plaintiff's Answer to Defendants' Statement of Purportedly Material Uncontested Facts (Document No. 71, filed October 6, 2014), Plaintiff's Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment (Document No. 72, filed October 6, 2014), Defendants' Reply Brief in Further Support of Defendants' Motion for Summary Judgment (Document No. 74, filed October 17, 2014), Plaintiff's Supplement [sic] to Their Memorandum of Law in Opposition of Defendant's [sic] Motion for Summar [sic] Judgment (Document No. 83, filed April 22, 2015), and Northampton County Defendants' Supplemental Memorandum of Law in Support of Their Motion for Summary Judgment (Document No. 84, filed May 4, 2015), for the reasons set forth in the accompanying Memorandum

¹ The Motion for Summary Judgment was filed on behalf of all defendants except Paul Serrano.

dated July 31, 2015, **IT IS ORDERED** that Defendants' Motion for Summary Judgment is **GRANTED IN PART** and **DENIED IN PART**, as follows:

1. Count I: The Motion is **GRANTED** as to Count I against defendants Kelly, Piccone, Stoffa, Meyers, Buskirk, Conklin, Sweeney, and Lamont, and **DENIED** as to Count I against defendant Northampton County;

2. Count II: The Motion is **GRANTED** as to Count II against defendants Piccone and Lamont, and **DENIED** as to Count II against defendant Kelly. The Motion is also **GRANTED** as to Count II to the extent that it is based on a theory that defendants Kelly and Piccone entered into a conspiracy to coerce Farrell to drop his *pro se* Complaint in violation of his First Amendment rights;

3. Count III: The Motion is **GRANTED** as to Count III against defendant Lamont, and **DENIED** as to Count III against defendant Kelly;

4. Count IV: The Motion is **GRANTED** as to Count IV against defendants Northampton County, Kelly, Piccone, Lamont, and Conklin, and **DENIED** as to Count IV against defendants Stoffa, Meyers, Buskirk, and Sweeney;

5. Count V: The Motion is **GRANTED** as to Count V against defendants Northampton County, Piccone, Stoffa, Meyers, Buskirk, Conklin, Sweeney, and Lamont in their official and individual capacities. The Motion is **GRANTED** as to Count V against defendant Kelly in his official capacity, and **DENIED** as to Count V against defendant Kelly in his individual capacity;

6. Count VI: The Motion is **DENIED** as to Count VI; and

7. Count IX: The Motion is **GRANTED** as to Count IX against defendants Piccone and Lamont, and **DENIED** as to Count IX against defendant Kelly.

IT IS FURTHER ORDERED that defendants Piccone, Conklin, Lamont, and John Does I–X are **DISMISSED** from this action and shall be **REMOVED** from the caption.

IT IS FURTHER ORDERED that the caption shall be **AMENDED** to substitute Nathan Piccone for defendant Daniel Piccone.

IT IS FURTHER ORDERED that a telephone conference for the purpose of scheduling further proceedings will be conducted in due course.

BY THE COURT:

/s/ Hon. Jan E. DuBois
DuBOIS, JAN E., J.