

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

DALE A. THOMAS,
Plaintiff,

CIVIL ACTION

v.

STANLEY J. COOPERSMITH,
Chief of Police,
DALE STEIGERWALT, Police Officer,
ELLIS PYSHER, Police Officer,
DAVID MARINO, Police Officer,
MANDY LOHMAN, Police Officer,
CRYSTAL HAPPEL, Police Officer, and
RYAN VRESICS, Police Officer,
Defendants.

NO. 11-7578

ORDER

AND NOW, this 19th day of January, 2016, upon consideration of Motion for Summary Judgment of Defendants Chief of Police Stanley J. Coopersmith and Police Officers David Marino, Mandy Lohman, and Crystal Happel (Doc. No. 91, filed September 25, 2015), Defendants Officers Dale Steigerwalt, Ellis Pysher, and Ryan Vresics's Motion for Summary Judgment (Doc. No. 92, filed September 25, 2015), Defendants' Joint Statement of Material and Undisputed Facts in Support of the Motion [sic] for Summary Judgment (Doc. No. 93, filed September 25, 2015), Brief in Support of the Motion for Summary Judgment of Defendants Chief of Police Stanley J. Coopersmith and Police Officers David Marino, Mandy Lohman, and Crystal Happel (Doc. No. 94, filed September 25, 2015), plaintiff's letter request to compel discovery and for sanctions dated October 3, 2015 (Doc. No. 96, filed October 4, 2015), defendants Chief of Police Stanley J. Coopersmith and Police Officers Crystal Happel, David Marino, and Mandy Lohman's letter response dated October 8, 2015 (Doc. No. 97, filed October 8, 2015), Memorandum in Opposition to Defendants Chief of Police Stanley J. Coopersmith &

Officers David Marino, Mandy Lohman, & Crystal Happel Motion for Summary Judgment (Doc. No. 110, filed November 18, 2015), Memorandum in Opposition to Officers Dale Steigerwalt, Ellis Pysher, & Ryan Vresics Motion for Summary Judgment (Doc. No. 111, filed November 18, 2015), Exhibits of Plaintiff (Doc. No. 112, filed November 18, 2015), Defendants' Reply Brief in Support of their Motion for Summary Judgment (Doc. No. 113, filed November 25, 2015), Reply Brief of Defendants, Chief of Police Stanley J. Coopersmith and Police Officers David Marino, Mandy Lohman, and Crystal Happel, in Support of Their Motion for Summary Judgment (Doc. No. 114, filed November 30, 2015), Response [sic] in Support of Memorandum in Opposition to Summary Judgment for Defendants Pysher, Steigerwalt, and Vresics (Doc. No. 115, filed December 14, 2015), Response [sic] in Support of Memorandum in Opposition for Summary Judgment for Defendants Chief Coopersmith, Marino, Lohman, and Happel (Doc. No. 116, filed December 14, 2015), and plaintiff's letter to the Court dated December 17, 2015, and the exhibits attached thereto,¹ for the reasons set forth in the accompanying Memorandum dated January 19, 2016, **IT IS ORDERED** as follows:

1. Plaintiff's letter request to compel discovery and for sanctions is **GRANTED IN PART AND DENIED IN PART** as follows: (i) that part of plaintiff's letter request seeking return of the video surveillance tape provided to counsel for defendants by plaintiff prior to the deposition of defendant Happel is **GRANTED** and counsel for defendants shall return the video surveillance tape; and (ii) plaintiff's request is **DENIED IN ALL OTHER RESPECTS**.

2. The Motion for Summary Judgment of Defendants Chief of Police Stanley J. Coopersmith and Police Officers David Marino, Mandy Lohman, and Crystal Happel is **GRANTED** and **JUDGMENT IS ENTERED IN FAVOR** of defendants, Chief of Police

¹ A copy of the letter and the attached exhibits shall be docketed by the Deputy Clerk.

Stanley J. Coopersmith and Police Officers David Marino, Mandy Lohman, and Crystal Happel, and **AGAINST** plaintiff, Dale A. Thomas.

3. Defendants Officers Dale Steigerwalt, Ellis Pysher, and Ryan Vresics's Motion for Summary Judgment is **GRANTED** and **JUDGMENT IS ENTERED IN FAVOR** of defendants, Police Officers Dale Steigerwalt, Ellis Pysher, and Ryan Vresics, and **AGAINST** plaintiff, Dale A. Thomas.

4. The Clerk of Court shall mark this case as **CLOSED**.

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.