

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

LEIF HENRY,

Plaintiff,

v.

CITY OF ALLENTOWN and CHIEF ROGER  
MACLEAN,

Defendants.

CIVIL ACTION  
NO. 12-1380

**ORDER**

**AND NOW**, this 5<sup>th</sup> day of December, 2013, upon consideration of Defendants' Motion to Dismiss (Docket #17), Plaintiff's brief in opposition thereto, and Plaintiff's Motion to Amend/Correct the Complaint (Docket #21), it is hereby **ORDERED** as follows:

1. Plaintiff's Motion to Amend the Complaint (Docket #21) is **DENIED** and Plaintiff may not file the proposed third amended complaint attached to the motion, though he may file an amended complaint following the rulings within this Order.
2. Defendants' Motion to Dismiss is **GRANTED** as follows:
  - a. Count I is **DISMISSED WITHOUT PREJUDICE** as to all Defendants.
  - b. Count II is **DISMISSED WITH PREJUDICE** as to all Defendants.
  - c. Count III is **DISMISSED WITHOUT PREJUDICE** as to all Defendants.

d. Count IV is **DISMISSED WITH PREJUDICE** as to all  
Defendants.

3. Plaintiff may file a third amended complaint in accordance with this Order  
and the accompanying memorandum opinion within 14 days of this Order.

**BY THE COURT:**

/s/ Jeffrey L. Schmehl  
Jeffrey L. Schmehl, J.