

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

MICA D. SPADY,

Plaintiff,

v.

THE BETHLEHEM AREA SCHOOL  
DISTRICT, et al.,

Defendants.

CIVIL ACTION  
NO. 12-6731

**ORDER**

**AND NOW**, this 30th day of July 2014, upon consideration of the Amended Complaint (Doc. No. 15), Defendants' Answer (Doc. No. 16), Defendants' Motion for Summary Judgment (Doc. No. 44), Plaintiff's Response in Opposition (Doc. No. 48), Defendants' Reply (Doc. No. 52), all related filings and exhibits, and in accordance with the Opinion of the Court issued this day, it is **ORDERED** as follows:

1. Defendant's Motion for Summary Judgment (Doc. No. 44) is **DENIED**.
2. Accordingly, the following claims remain: a Section 1983 claim against Defendant Rodgers (Count II); a Section 1983 claim against Defendant BASD (Count IV); a wrongful death claim against both Defendants (Count VIII); and a survival action against both Defendants (Count IX)

BY THE COURT:

/s/ Joel H. Slomsky  
JOEL H. SLOMSKY, J.