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

| | | |
|---|---|---|
| **D.M. (Mother) and D.M. (Father), individually and on behalf of J.M. and D.P.,** | : | **CIVIL ACTION** |
| **Plaintiffs,** | : | |
| **v.** | : | |
| **COUNTY OF BERKS, et al.,** | : | **NO. 12-6762** |
| **Defendants** | : | |

**ORDER RE MOTIONS FOR SUMMARY JUDGMENT**

**AND NOW**, this 20th day of June, 2014, following briefing and oral argument, Plaintiffs' Motion for Partial Summary Judgment (ECF 68) is **DENIED**, and Defendants' Motion for Summary Judgment (ECF 70) is **GRANTED** in part and **DENIED** in part, for reasons to be set forth in the accompanying Memorandum.

Defendants' Motion for Summary Judgment is **GRANTED** on the following claims against the enumerated defendants:

1. All claims against Wendy Seidel, Brian Jakubek, Jennifer Grimes, and Jennifer McCollum.

2. Plaintiffs' Fourth and Fourteenth Amendment claims against George Kovarie and Brandy Neider.

3. Plaintiffs' Fourth Amendment claims against Timonthy Siminksi.

Defendants' Motion for Summary Judgment is **DENIED** on to the following claims against the enumerated defendants:

1. Plaintiffs' procedural due process claims against Clinton, High, Siminksi, and the County of Berks.

2. Plaintiffs' substantive due process claims against Clinton, High, Siminksi, and the County of Berks.

3. Plaintiffs' First Amendment claims against Clinton, High, Siminksi, Kovarie, Neider, and the County of Berks.

4. Plaintiffs' Fourth Amendment claims for illegal seizure against Clinton, High, Siminski, and the County of Berks.

5. Plaintiffs' Fourth Amendment claim for illegal entry against Clinton.

**BY THE COURT:**

**/s/ Michael M. Baylson**

**Michael M. Baylson, U.S.D.J.**

O:\CIVIL 12\12-6762 D.M. v. couty of berks\12cv6762.062014.order.msj.docx