UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

AURELLIO BONILLA, Plaintiff, v. CITY OF ALLENTOWN; CITY OF ALLENTOWN POLICE PENSION FUND ASSOCIATION; ED PAWLOSKI, JUILO GURIDY; RAY O'CONNELL; JOE DAVIS; JEANETTE EICHENWALD; DARYL L. HENDRICKS; CYNTHIA MOTA; PETER SCHWEYER; GARRET STRATHEAM; MARY ELLEN KOVAL; LOUIS COLLINS; IBOLYA BALOG; JAMES GRESS; RYAN KOONS; JEFF GLAZIER; MICHAEL WILLIAMS; and EDUARDO EICHENWALD, Defendants.	:	No. 5:14-cv-05212

O R D E R

AND NOW, this 13th day of February, 2019, for the reasons set forth in the Opinion issued this date, **IT IS ORDERED THAT**:

1. The City Defendants' Motion to Dismiss,[1] ECF No. 5, is **GRANTED in part**.
2. The Pension Board Defendants' Motion to Dismiss,[2] ECF No. 6, is **GRANTED in part**.
3. The Pension Board Defendants' Supplemental Motion to Dismiss, ECF No. 28, is **GRANTED in part**.
4. The City Defendants' Motion for Summary Judgment, ECF No. 50, is **GRANTED in part**.
5. Bonilla's Motion for Partial Summary Judgment, ECF No. 51, is **DENIED**.

[1] The "City Defendants" include the City of Allentown, Ed Pawlowski, Julio Guridy, Ray O'Connell, Joe Davis, Jeanette Eichenwald, Daryl Hendricks, Cynthia Mota, and Peter Schweyer.

[2] The "Pension Board Defendants" include the City of Allentown Police's Pension Fund Association, Garret Stratheam, Mary Ellen Koval, Louis Collins, Iboyla Balog, James Gress, Ryan Koons, Jeff Glazier, Michael Williams, and Eduardo Eichenwald.

6. Judgment is entered in favor of the City on the first Count IX, *see* Compl. ¶¶ 152-160.

7. The Complaint is **DISMISSED**.

   A. The following counts are dismissed, in their entirety, without prejudice: Counts I, II, III, IV, V, and Count XII.

   B. The requests for monetary damages in Counts VI, VII, and the first Count IX, *see* Compl. ¶¶ 137-142, are dismissed with prejudice; otherwise these counts are dismissed without prejudice.

   C. The following counts are dismissed, in their entirety, with prejudice: Counts VIII, X, and XI.

   D. The following count is dismissed with prejudice as to the Pension Board:[3] the second Count IX, *see* Compl. ¶¶ 152-160.

8. The City Defendants' Motions in Limine, ECF Nos. 53-54, are **DISMISSED as moot**.

9. The case is **CLOSED**.

10. The case may be reopened by the filing of an amended complaint, consistent with the Opinion, within thirty days of the completion of the pension proceedings and any related appellate review.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Court

[3] Summary judgment is granted in favor of the other named Defendant in this count: the City.