

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

EVAN BIESECKER, by his	:	CIVIL ACTION
Guardians and Next Friends, Wayne	:	
and Angela Biesecker, and Wayne and	:	
Angela, Individually,	:	
Plaintiffs	:	
	:	
vs.	:	NO. 17-2586
	:	
CEREBRAL PALSY ASSOCIATION,	:	
CHESTER COUNTY DISABILITIES	:	
SERVICES, et al.,	:	
Defendants	:	

ORDER

AND NOW, this 13th day of July, 2018, upon consideration of the various motions to dismiss filed by the defendants, **IT IS HEREBY ORDERED** that:

1. The amended complaint is **STRICKEN** as untimely.
2. The motions to dismiss the amended complaint (Documents #34, 35, 36, 38) are **DENIED** as moot.
3. The motion to dismiss the amended complaint filed by Defendants Earle and Johnson (Document #40) is **GRANTED** in its entirety with prejudice.
4. The motions to dismiss filed by the Chester County Defendants (Document #21), the Caring Companions Defendants (Document #24), the Cerebral Palsy Association Defendants (Document #25), and the Commonwealth Defendants (Document #26) are **GRANTED** without prejudice based on insufficient service of process.

5. The plaintiffs are granted leave to file a second amended complaint within fourteen days of the date of this Order, if warranted by the facts and applicable law as discussed in the accompanying Memorandum. Failure to comply will result in the dismissal of this action with prejudice.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, C.J.