

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

A.J.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	No. 5:19-cv-01768
	:	
LANCASTER COUNTY; CRYSTAL A.	:	
NATAN, <i>Executive Director</i> ; ROBIN	:	
BOYER; ALEXIS PALMER;	:	
CHRISTOPHER HORNBERGER;	:	
CHRISTINE SEBASTIAN-BAIR;	:	
DIAKON-SWAN, LLC; DIAKON	:	
LUTHERAN SOCIAL SERVICES;	:	
FAMILY DESIGN RESOURCES, INC.;	:	
and PAT DOES #1-10,	:	
Defendants.	:	

ORDER

AND NOW, this 11th day of October, 2019, upon consideration of the pending Motion to Dismiss and Motion to Strike and for the reasons set forth in the Opinion issued this date, **IT IS HEREBY ORDERED THAT:** Lancaster County, Crystal Natan, Robin Boyer, Alexis Palmer, Christopher Hornberger, Courtney Restemayer, David Natan, and Family Design Resources and Christine Sebastian-Blair’s (collectively, “Defendants”) Motion to Dismiss, ECF No. 21, ECF No. 22, and Family Design Resources and Christine Sebastian-Bair’s Motion to Strike, ECF No. 22, is granted in part and denied in part as follows:

1. The Motion to Dismiss for Failure to State a Claim, ECF No. 21, is **GRANTED**, as follows:
 - a. The following claims are dismissed with prejudice: § 1981, §1985, Fifth Amendment, Sixth Amendment, Seventh Amendment, claims against individual defendants, malicious prosecution/abuse of process, and Article 1 Section 1 of the Pennsylvania Constitution.

- b. The following claims are dismissed without prejudice: *Monell* claim for failure to train, *Monell* claim for policy or custom, First Amendment, Fourth Amendment, Fourteenth Amendment.
2. The Motion to Dismiss and Motion to Strike Plaintiff's Complaint in its entirety, ECF No. 22, is **GRANTED in part and DENIED in part** as follows:
 - a. The Motion to Dismiss portion in ECF No. 22 is granted. *See* Section 1 of this order hereinabove.
 - b. The Motion to Strike Portion in ECF No. 22 is denied as moot.
3. Plaintiff's Amended Complaint, ECF No. 15, is **DISMISSED**; and
4. Plaintiff shall have **twenty-one days from the date of this Order** to file an amended complaint as to any claims that were dismissed without prejudice in accordance with the Opinion issued this date.
5. If Plaintiff fails to timely file an amended complaint, the case will be closed without further notice of the Court.

BY THE COURT:

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