

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

KATHY L. TAYLOR,	:	
Plaintiff,	:	
	:	
v.	:	No. 5:24-cv-1411
	:	
NORTHAMPTON COUNTY CHILDREN AND	:	
YOUTH; NORTHAMPTON COUNTY	:	
DISTRICT ATTORNEY'S OFFICE;	:	
BETHLEHEM POLICE DEPT.; and	:	
AFFIANT PETER LABIAK;	:	
Defendants.	:	

ORDER

AND NOW, this 11th day of March, 2025, for the reasons set forth in the Opinion issued this date, **IT IS ORDERED THAT**:

1. The Motion to Dismiss filed by the Bethlehem Police Department and Affiant Peter Labiak, ECF No. 28, is **GRANTED in part** as stated in paragraph 3.
2. The Motion to Dismiss filed by Northampton County Office of Children and Youth, and the Northampton County District Attorney's Office, ECF No. 32, is **GRANTED in part** as stated in paragraph 3.
3. The Amended Complaint, ECF No. 27, is **DISMISSED as follows**:
 - A. Count I of the Amended Complaint is **DISMISSED in part with prejudice and in part without prejudice**. Count I is dismissed without prejudice and with leave to amend as to the Police defendants. The Northampton County Office of Children and Youth and the Northampton County District Attorney's Office are dismissed with prejudice from Count I; however, these Defendants may be substituted for the County in an amended complaint.

B. Count II of the Amended Complaint is **DISMISSED in part with prejudice and in part without prejudice**. Count II is dismissed without prejudice and with leave to amend as to the Police defendants. The claim under the Civil Rights Act of 1964 is also dismissed without prejudice and with leave to amend as to the County Defendants. The Northampton County Office of Children and Youth and the Northampton County District Attorney's Office are dismissed with prejudice from any claim under the Equal Protection Clause or 42 U.S.C. § 1981, with leave to substitute the County and amend.

C. Count III of the Amended Complaint is **DISMISSED with prejudice**.

4. The Motion filed by the Bethlehem Police Department and Affiant Peter Labiak to Join the Motion to Strike, ECF No. 42, is **GRANTED**.

5. The Motion to Strike filed by the Northampton County Office of Children and Youth, and the Northampton County District Attorney's Office, ECF No. 40, is **DENIED in part** as explained in the Opinion.

6. **No later than March 31, 2025**, Plaintiff may file an amended complaint as to any claim and defendant dismissed without prejudice, only. If she fails to timely file an amended complaint, all claims will be dismissed with prejudice and the case will be closed without further notice.

BY THE COURT:

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