## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

THOMAS M. FISHER, : CIVIL ACTION

Plaintiff

.

NO. 09-1572

:

MICHAEL MATTHEWS and

SHAUN DICKMYER

Defendants

## <u>ORDER</u>

AND NOW, this 20th day of May, 2011, upon careful and independent consideration of the defendants' motion for summary judgment (Doc. # 17), and all responses and replies thereto, and after review of the thorough and well-reasoned Report and Recommendation of United States Magistrate Judge Thomas M. Blewitt (Doc. # 26), it is hereby ORDERED that:

- 1. The defendants' objections to the report and recommendation of the United States Magistrate Judge (Doc. # 31) are OVERRULED;
- 2. The Report and Recommendation is APPROVED and ADOPTED;
- 3. Defendants' motion for summary judgment is GRANTED.

BY THE COURT:

/s/ LAWRENCE F. STENGEL
LAWRENCE F. STENGEL, J.