

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

ALAN T. DEFFIBAUGH, :
Plaintiff, : **Civil Action**
v. :
DWIGHT HARVEY, et. al., : **No. 1:09-1749**
Defendants. :
:

ORDER

AND NOW, this 19th day of September 2013, upon consideration of plaintiff's objections to the report and recommendation (Doc. Nos. 82 & 83), defendant Dwight Harvey's response thereto (Doc. No. 84), defendant Stacy Gelvin's response thereto (Doc. No. 85), and defendants John Brown, John Stchur, Jeffrey Watson, and Willard Oliphant's objections to the report and recommendation (Doc. Nos. 77 & 78), and following an independent review of the entire record and applicable law in this matter, **IT IS HEREBY ORDERED** that:

1. Plaintiff's objections are **OVERRULED**;
2. Defendants John Brown, John Stchur, Jeffrey Watson, and Willard Oliphant's objections are **SUSTAINED**;
3. The report and recommendation is **ADOPTED in part** and **REJECTED in part**, consistent with this Order;
4. Defendants' motions for summary judgment (Doc. Nos. 41, 44, & 50) are **GRANTED** in their entirety;

5. The Clerk is directed to mark this case **CLOSED**

BY THE COURT

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