

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

<b>COMMONWEALTH OF</b>	:	<b>CIVIL ACTION NO. 1:12-CV-1567</b>
<b>PENNSYLVANIA, PENNSYLVANIA</b>	:	
<b>GAME COMMISSION,</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>Plaintiff</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>THOMAS E. PROCTOR HEIRS</b>	:	
<b>TRUST and MARGARET PROCTOR</b>	:	
<b>TRUST,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 18th day of December, 2019, upon consideration of the cross-motions (Docs. 94, 123) for partial summary judgment filed by defendants Thomas E. Proctor Heirs Trust and Margaret O.F. Proctor Trust (collectively, “Proctor Trusts”) and plaintiff Commonwealth of Pennsylvania, Pennsylvania Game Commission (“Game Commission”), and Chief Magistrate Judge Susan E. Schwab’s report (Doc. 155) and recommendations, and for the reasons stated in the accompanying memorandum, it is hereby ORDERED that:

1. Judge Schwab’s report (Doc. 155) is ADOPTED to the extent set forth in the accompanying memorandum.
2. The Game Commission’s motion (Doc. 123) for partial summary judgment is GRANTED.
3. The Proctor Trusts’ motion (Doc. 94) for partial summary judgment is DENIED.
4. Entry of judgment in accordance with paragraph 2 is DEFERRED pending resolution of the remaining claims *sub judice*.

5. The Proctor Trusts' motion (Doc. 136) to strike declaration of J.C. Wilkinson, III, is GRANTED in part and DENIED in part as more fully set forth in Judge Schwab's report (Doc. 155) and our accompanying memorandum.
6. A telephonic status conference call is scheduled for **11:00 a.m. on Wednesday, January 8, 2020**. Counsel for plaintiff shall initiate the call to Chambers at (717) 221-3945. At the time the call is placed, all parties shall be on the line and prepared to discuss the status of the remaining claims in this case in light of the accompanying memorandum and this order.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania