

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

<b>M.S., a minor, by and through her mother, PARIS HALL, and PARIS HALL, individually, Plaintiffs</b>	<b>:</b>	<b>No. 1:13-cv-2718</b>
<b>v.</b>	<b>:</b>	
<b>SUSQUEHANNA TOWNSHIP SCHOOL DISTRICT, et al., Defendants</b>	<b>:</b>	

**ORDER**

**AND NOW**, on this 29th day of August 2014, **IT IS HEREBY ORDERED THAT**

Defendants' motion to dismiss (Doc. No. 10) is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Plaintiffs' claims against the individually-named Defendants in their official capacities are **DISMISSED WITH PREJUDICE**.
2. Plaintiffs' claims against Defendant Susquehanna Township School District, and Defendants Kegerise, Taschner and Lovelidge in their individual capacities arising out of 42 U.S.C. § 1983 and the United States Constitution are **DISMISSED WITHOUT PREJUDICE**;
3. Plaintiffs' claim against STSD arising under Title IX, 20 U.S.C. § 1681 *et seq.* is not dismissed;
4. Plaintiffs' state law claims alleging negligent hiring, negligence *per se* and intentional infliction of emotional distress against the Susquehanna Township School District are **DISMISSED WITH PREJUDICE**;
5. Plaintiffs' state law claim alleging negligent hiring against Defendants Kegerise and Lovelidge in their individual capacities is **DISMISSED WITHOUT PREJUDICE**;
6. Plaintiffs' state law claims alleging negligence *per se* and intentional infliction of emotional distress against all individually-named Defendants in their individual capacities are **DISMISSED WITHOUT PREJUDICE**; and
7. Plaintiffs' claim for punitive damages is **DISMISSED WITHOUT**

**PREJUDICE.**

8. Plaintiffs are granted leave to file an amended complaint within 21 days of the date of this order.

S/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania