

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

BRIAN FIELDS, et al.,	:	CIVIL ACTION NO. 1:16-CV-1764
	:	
Plaintiffs	:	(Chief Judge Conner)
	:	
v.	:	
	:	
SPEAKER OF THE	:	
PENNSYLVANIA HOUSE OF	:	
REPRESENTATIVES, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 28th day of April, 2017, upon consideration of defendants' motion (Doc. 31) to dismiss pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Defendants' motion (Doc. 31) is GRANTED in part and DENIED in part as follows:
 - a. The motion (Doc. 31) is GRANTED to the extent it seeks dismissal of plaintiffs' claims pursuant to the Free Speech and Free Exercise Clauses of the First Amendment and the Equal Protection Clause of the Fourteenth Amendment.
 - b. The motion (Doc. 31) is further GRANTED to the extent it seeks dismissal of ostensible coercion claims pursuant to the Establishment Clause of the First Amendment by plaintiffs other than Brian Fields and Scott Rhoades.
 - c. The motion (Doc. 31) is DENIED in all other respects.

2. Counts II, III, and IV of plaintiffs' complaint (Doc. 1) are DISMISSED with prejudice.
3. Count I of plaintiffs' complaint (Doc. 1) is DISMISSED only to the extent that Count can be read to assert coercion claims on behalf of plaintiffs other than Brian Fields and Scott Rhoades.
4. This action shall proceed on Count I as follows:
 - a. On the Establishment Clause challenge to defendants' implementation of House Rule 17 as to all plaintiffs, and
 - b. On the Establishment Clause coercion claim as to plaintiffs Brian Fields and Scott Rhoades.
5. The court will issue a case management schedule by separate order.

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