

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

**CHRISTOPHER CARUSONE,** : **Civil No. 1:16-cv-1944**

**Plaintiff,** :

**v.** :

**KATHLEEN KANE, RENEE** :  
**MARTIN, DAVID PEIFER, BRADEN:** :  
**COOK, and WILLIAM NEMETZ** :

**Defendants.** : **Judge Sylvia H. Rambo**

**ORDER**

In accordance with the accompanying memorandum of law, **IT IS**  
**HEREBY ORDERED** that Defendants’ motion to dismiss the amended complaint  
(Doc. 20) is granted in part and denied in part as follows:

- 1) The motion is **GRANTED** as to Count II, which is dismissed **WITH PREJUDICE**.
- 2) The motion is **DENIED** as to Count I.

s/Sylvia H. Rambo  
**SYLVIA H. RAMBO**  
United States District Judge

Dated: November 9, 2017