

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

<b>WILLIAM D. SCALES,</b>	:	<b>Civil No. 1:18-cv-1514</b>
	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>MIDLAND FUNDING, LLC, AND</b>	:	
<b>DANIEL J. SANTUCCI, ESQ.,</b>	:	
	:	
<b>Defendants.</b>	:	<b>Judge Sylvia H. Rambo</b>

**ORDER**

In accordance with the accompanying memorandum of law, IT IS HEREBY  
ORDERED AS FOLLOWS:

- 1) The report and recommendation (Doc. 54) is ADOPTED;
- 2) Plaintiff's motion for summary judgment (Doc. 46) is DENIED;
- 3) Defendants' motion for summary judgment (Doc. 52), is GRANTED, in part, and DENIED, in part. Specifically, Defendants' motion for summary judgment is GRANTED with respect to any FDCPA claims relating to letters sent by Defendants to Plaintiff. This motion is also GRANTED with respect to any state law professional negligence-legal malpractice claims brought against Defendants. The motion is DENIED, however, with respect to any FDCPA claims arising out of what Plaintiff has described as litigation abuse in state court in March and April of 2018, but the parties are afforded the opportunity to renew their summary judgment motions on this issue based upon a more fulsome record of these state court proceedings.

s/Sylvia H. Rambo  
Sylvia H. Rambo  
United States District Judge

Dated: March 31, 2021