

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

<b>ROBERT J. MASTRELLA,</b>	:	<b>CIVIL ACTION NO. 1:20-CV-1135</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>LOUIS DEJOY, POSTMASTER GENERAL, UNITED STATES POSTAL SERVICE,</b>	:	
	:	
<b>Defendant</b>	:	
	:	

**ORDER**

AND NOW, this 18th day of November, 2021, upon consideration of the motion (Doc. 26) to dismiss by defendant Louis DeJoy, and the parties' respective briefs in support of and opposition to said motion, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Defendant's motion (Doc. 26) is GRANTED in part and DENIED in part as follows:
  - a. The motion is GRANTED with respect to Count I.
  - b. The motion is otherwise DENIED with respect to Counts II and III.
2. Defendant shall respond to plaintiff's amended complaint in accordance with the Federal Rules of Civil Procedure.

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