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

FLORENCE WALLACE, et al., Plaintiffs, v. ROBERT J. POWELL, et al., Defendants.	**CONSOLIDATED TO:** CIVIL ACTION NO. 3:09-cv-286 (JUDGE CAPUTO)

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

WILLIAM CONWAY, et al., Plaintiffs, v. JUDGE MICHAEL T. CONAHAN, et al., Defendants.	CIVIL ACTION NO. 3:09-cv-0291 (JUDGE CAPUTO)

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

H.T., et al., Plaintiffs, v. MARK A. CIAVARELLA, JR., et al., Defendants.	CIVIL ACTION NO. 3:09-cv-0357 (JUDGE CAPUTO)

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

SAMANTHA HUMANIK, Plaintiff, v. MARK A. CIAVARELLA, JR., et al., Defendants.	CIVIL ACTION NO. 3:09-cv-0630 (JUDGE CAPUTO)

MEMORANDUM

Presently before the Court is the Plaintiffs' request for clarification found in their Response of Class Plaintiffs and Individual Plaintiffs to Luzerne County's Unopposed Motion for an Extention of Time and to Exceed Page and/or Word Limits of Rule 7.8 and Plaintiffs' Request for Clarification of Luzerne County's Status as a Party. (Doc. 420.) Plaintiffs request clarification as to Luzerne County's present status in the case. This Court has denied two motions by the Plaintiffs to amend their master complaints as futile. (Docs. 335, 411.) While it may be true that the facts and claims raised in the Plaintiffs' complaints may also fail to state a claim, this Court has never had before it the question of whether to dismiss Luzerne County from this action entirely. To comment on this issue before it has been raised before this Court would be inappropriate, requiring this Court to issue an advisory opinion. Therefore, as Luzerne County is a named party in the Plaintiffs' complaints, and no order from this Court or stipulation from the parties has dismissed it, Luzerne County must be said to remain a party in this action.

3/24/10

A. Richard Caputo
United States District Judge