

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

ALPHONSO SANDERS, et al.,

Plaintiffs,

v.

JEFFREY A. BEARD, et al.,

Defendants.

CIVIL ACTION NO. 3:09-CV-1384

(JUDGE CAPUTO)

ORDER

NOW, this 19th day of April, 2013, **IT IS HEREBY ORDERED** that Defendants' Motion *in Limine* (Doc. 394) is **GRANTED** in part and **DENIED** in part. Accordingly, it is further **ORDERED** that:

1. Plaintiff Williams' claims against all Defendants are **DISMISSED**.
2. Plaintiff Williams' Motion to Compel (Doc. 452), Motion for Appointment of Counsel (Doc. 499), and Motion for Medical Records (Doc. 508) are **DISMISSED AS MOOT**.
3. All claims against Defendant Fouse are **DISMISSED**.
4. Plaintiffs' Eighth Amendment denial of medical care claims against Defendants Felton and Varner are **DISMISSED**.
5. Plaintiffs' Eighth Amendment conditions of confinement claims against Defendants Felton and Varner are **DISMISSED** to the extent that they address issues other than the ventilation system, air quality, and water quality at SCI-Smithfield.
6. The claims for monetary damages raised by Plaintiffs Stewart, Diaz, and Bowen against Defendants Felton and Varner are **DISMISSED**.
7. Trial in the above-captioned matter will commence with Jury Selection on **Monday, August 5, 2013, at 9:30 a.m., Courtroom #4, Federal Building, 228 Walnut Street, Harrisburg, Pennsylvania**. Trial will begin immediately after a jury is selected. A pretrial scheduling order will follow.

/s/ A. Richard Caputo

A. Richard Caputo
United States District Judge