

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>ROBERT BENCHOFF,</b>	:	
<b>Plaintiff</b>	:	<b>Civil No. 3:11-CV-1106</b>
<b>v.</b>	:	
<b>DIANE YALE, et al.,</b>	:	<b>(Mannion, D.J.) (Blewitt, M.J.)</b>
<b>Defendants</b>	:	

**ORDER**

In light of the memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

- (1) the report and recommendation of Judge Blewitt, (**Doc. No. [168](#)**), is **ADOPTED IN FULL**;
- (2) plaintiff's motion for partial summary judgment, (**Doc. No. [107](#)**), is **DENIED**;
- (3) defendants' motion for summary judgment, (**Doc. No. [153](#)**), is **GRANTED**;
- (4) plaintiff's motion for extension of time, (**Doc. No. [169](#)**), is **DENIED**;
- (5) the plaintiff's appeal, (**Doc. No. [172](#)**), of the order of Judge Blewitt entered on August 14, 2013 is **DENIED**; and
- (6) the Clerk is directed to close the case.

s/ *Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Date: September 30, 2013**

O:\Mannion\shared\MEMORANDA - DJ\2011 MEMORANDA\11-1106-01-order.wpd