UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KIM MILLBROOK,

CIVIL ACTION NO. 3:12-cv-421

Plaintiff

(Judge Nealon)

ν.

SCRANTON

UNITED STATES OF AMERICA, ET AL.,:

MAR 2 5 2014

Defendants

DEPUTY CLERK

<u>ORDER</u>

NOW, THIS 25th DAY OF MARCH, 2014, in accordance with the

Memorandum issued this date, IT IS HEREBY ORDERED THAT:

- 1. Defendants' dispositive motion (Doc. 63) is construed as solely seeking summary judgment.
- 2. Defendants' motion for summary judgment (Doc. 63) is **GRANTED** in part.
- 3. The request that the <u>Bivens</u> claim against Defendant Edinger regarding a March 5, 2010, incident be joined into Plaintiff's FTCA action, <u>Millbrook v. United States</u>, Civ. No. 3:11-cv-131 (M.D. Pa.), regarding the same incident is **GRANTED**.
- 4. A copy of this Memorandum and Order shall be docketed in Millbrook v. United States, Civ. No. 3:11-cv-131, and Defendant Edinger shall be listed as an additional Defendant in that case.
- 5. Summary judgment is **GRANTED** in favor of all Defendants in the instant action with the exception of the United States of America.
- 6. Entry of summary judgment is **GRANTED** with respect to all claims with the exception of the FTCA claims pertaining to an alleged sexual

assault by Paramedic Walls on May 12, 2011.

United States District Judge