

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

ALEXANDRA KOBRICK,	:	
	:	
Plaintiff	:	CIVIL ACTION NO. 3:13-2865
	:	
v.	:	(JUDGE MANNION)
	:	
MATTHEW STEVENS, LAKELAND SCHOOL DISTRICT, WESTERN WAYNE SCHOOL DISTRICT, DR. MARGARET BILLINGS- JONES, THOMAS KAMEROSKI, ANDREW FALONK, and PATRICK SHEEHAN,	:	
	:	
Defendants	:	

ORDER

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

- (1) defendant Stevens's motion to dismiss, (**Doc. [32](#)**), is **GRANTED IN PART AND DENIED IN PART** as follows:
 - (a) defendant Stevens's motion to dismiss is **GRANTED** with respect to the Fourth Amendment claim in Count One of the plaintiff's complaint; the Pennsylvania Constitution claim in Count Eight; and the Sexual and Simple Assault claim in Count Ten.
 - (b) defendant Stevens's motion to dismiss is **DENIED** in all other respects.

(2) the Western Wayne defendants' motion to dismiss, (**Doc. 16**), is **GRANTED IN PART AND DENIED IN PART** as follows:

(a) the Western Wayne defendants' motion to dismiss is **GRANTED** with respect to the Fourth Amendment claim in Count Six; the Title IX claim against defendants Falonk and Sheehan in Count Seven; the Pennsylvania Constitution claim in Count Eight; the Sexual and Simple Assault claim in Count Ten; the Negligence claim in Count Thirteen; the IIED claim in Count Fourteen against the Western Wayne School District and defendant Falonk; and the claim for punitive damages against the Western Wayne School District and defendant Falonk;

(b) the Western Wayne defendants' motion to dismiss is **DENIED** in all other respects.

(3) the Lakeland defendants' motion to dismiss, (**Doc. 18**), is **GRANTED IN PART AND DENIED IN PART** as follows:

(a) the Lakeland defendants' motion to dismiss is **GRANTED** with respect to the state law claims in Counts Nine, Ten, Eleven, Twelve and Fourteen against defendant Billing-Jones; the state law claims

in Counts Nine, Ten, Eleven, Twelve and Fourteen against defendant Lakeland School District; the state law claims in Counts Nine, Eleven and Twelve against defendant Kameronoski; the Fourth Amendment claim in Count Four; the Title IX claim against defendants Billings-Jones and Kameronoski in Count Five; the Pennsylvania Constitution claim in Count Eight; the Sexual and Simple Assault claim in Count Ten; the IIED claim in Count Fourteen against defendants Lakeland School District and Billings-Jones in Count Fourteen; and the punitive damages claim against defendants Lakeland School District and Billings-Jones;

- (b) the Lakeland defendants' motion to dismiss is **DENIED** in all other respects.

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

Date: September 30, 2014

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