UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KIM MILLBROOK,	:	
Plaintiff	:	CIVIL ACTION NO. 3:15-CV-0832
	:	(Judge Nealon)
V.	:	
	:	
UNITED STATES OF AMERICA,	:	
Defendant	:	

<u>ORDER</u>

AND NOW, THIS 12TH DAY OF SEPTEMBER, 2016, for the reasons set

forth in the Memorandum of this date, IT IS HEREBY ORDERED THAT:

- 1. Defendant's motion for summary judgment, (Doc. 13), is **GRANTED** in part and **DENIED** in part.
- 2. Defendant's motion for summary judgment, (<u>Id.</u>), is **GRANTED** with respect to any of Plaintiff's claims seeking monetary damages for a due process claim arising out of his disciplinary proceeding that has not been overturned or invalidated and the intentional tort claims advanced against EMT Barth and EMT George.
- 3. Defendant's motion for summary judgment, (<u>Id.</u>), is **DENIED** as to Plaintiff's negligence claims and remaining intentional tort claims.
- 4. The parties may file any additional dispositive motions within thirty (30) days of the date of this Order.
- 5. Failure to file a timely dispositive motion will result in the above-captioned action being set down for pre-trial conference and trial at the convenience of the Court.

/s/ William J. Nealon United States District Judge