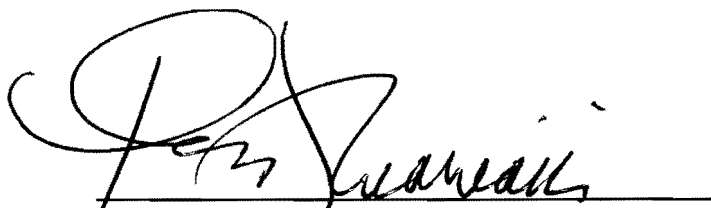


4. Defendant's motion to dismiss Counts VI and VII is **GRANTED**. Plaintiff's Section 1983 claims are **DISMISSED WITHOUT PREJUDICE**.
5. Defendant's motion to dismiss Count VIII is **DENIED**.
6. Plaintiff's request for an order permitting it to supplement the administrative record is **GRANTED**.
7. **IT IS HEREBY ORDERED THAT 14 days from the date of this Order** Plaintiff shall submit to the Court the certified administrative record.
8. Plaintiff is **HEREBY GRANTED 14 days from the date of this Order** to file an Amended Complaint as to Counts VI and VII.
9. The Court **HEREBY DIRECTS** the participate in a telephone conference to discuss case management and all outstanding issues on **Tuesday May 17, 2016 at 11:00AM**. It shall be the responsibility of Plaintiff to arrange the call to Chambers at (570) 207-5750 and all parties shall be prepared to proceed before the undersigned is contacted.



Robert D. Mariani
United States District Judge