

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

**JOSEPH BIFANO and  
KEITH RYNEARSON,**

**Plaintiffs,**

**v.**

**WAYMART BOROUGH and  
FREDERICK J. GLAVICH,**

**Defendants.**

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**CIVIL ACTION NO. 3:16-0245  
(JUDGE MANNION)**

**ORDER**

For the reasons set forth in the memorandum issued this same day, **IT IS HEREBY ORDERED THAT** the defendants' motion for a protective order, (Doc. [28](#)), is **GRANTED IN PART and DENIED IN PART** as follows:

1. The plaintiffs' counsel in this matter is prohibited from inquiring into communications that took place at the October 13, 2015 executive meeting at the deposition of Jane Varcoa and the depositions of any other borough officials in attendance at that executive meeting as indicated by the regular meeting minutes attached to the defendants' reply brief, (Doc. [33-1](#));
2. The plaintiffs' counsel may inquire as to whether the particular borough official was actually in attendance at that meeting;
3. The plaintiffs' counsel may inquire as to whether any third-parties were in attendance at the executive meeting; and

**IT IS FURTHER ORDERED THAT** the plaintiffs' counsel of record, Christopher J. DelGaizo, shall seek general admission into the United States District Court, Middle District of Pennsylvania or, in the alternative, shall

substitute former counsel of record, Theresa Mogavero Simmons, with an attorney admitted to practice in this district within fourteen (14) days from the date of this Order.

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

**Date: April 26, 2017**

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