

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JOSEPH BIFANO and KEITH
RYNEARSON

Plaintiffs

v.

WAYMART BOROUGH

Defendant

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CIVIL ACTION NO. 3:16-245

(JUDGE MANNION)

ORDER

In accordance with this court's memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

- (1) the Borough's motion for summary judgment ([Doc. 43](#)) is **GRANTED IN PART** with respect to plaintiffs' First Amendment claim;
- (2) plaintiffs' state law claim against the Borough under the Pennsylvania Whistleblower Law is **DISMISSED** with leave to file in State Court.
- (3) the Clerk of Court is directed to **ENTER JUDGMENT** in favor of the Borough with respect to plaintiffs' First Amendment claim; and
- (4) the Clerk of Court is directed to **CLOSE THIS CASE**.

s/ Malachy E. Mannion

MALACHY E. MANNION
United States District Judge

DATE: March 28, 2019

16-245-03