

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

SVETLANA GITERMAN,	:	
	:	
Plaintiff	:	CIVIL ACTION NO. 3:16-0402
	:	
v.	:	
	:	(JUDGE MANNION)
POCONO MEDICAL CENTER, <i>et al.</i>,	:	
	:	
Defendants	:	

ORDER

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

- (1) The motion for summary judgment of PMC, **(Doc. 51)**, is **GRANTED IN PART** and **DENIED IN PART**.
- (2) PMC's motion for summary judgment with respect to plaintiff's claim under Title III of the ADA, Count I of her amended complaint, **(Doc. 23)**, is **GRANTED**.
- (3) PMC's motion for summary judgment with respect to plaintiff's disability discrimination claim for damages against it under Section 504 of the Rehabilitation Act, Count II of her amended complaint, **(Doc. 23)**, is **DENIED**.
- (4) The motion for summary judgment of WCC, **(Doc. 55)**, is **GRANTED IN PART** and **DENIED IN PART**.
- (5) WCC's motion for summary judgment with respect to

plaintiff's claim under Title III of the ADA is **GRANTED**.

- (6) PMC's and WCC's motions for summary judgment with respect to plaintiff's claims for injunctive and declaratory relief against them under §504 of the RA are **GRANTED**.
- (7) WCC's motion for summary judgment with respect to plaintiff's disability discrimination claim for damages against it under Section 504 of the Rehabilitation Act is **DENIED**.
- (8) Plaintiff's cross-motion for summary judgment, (**Doc. 64**), with respect to her claim under Title III of the ADA against PMC is **DENIED**.
- (9) Plaintiff's cross-motion for summary judgment with respect to her claim for damages under Section 504 of the Rehabilitation Act against PMC and WCC is **DENIED**.
- (10) Plaintiff's claim for damages under Section 504 of the Rehabilitation Act against PMC and WCC will **PROCEED TO TRIAL**.

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

Date: January 16, 2019

O:\Mannion\shared\MEMORANDA - DJ\CIVIL MEMORANDA\2016 MEMORANDA\16-0402-01-ORDER.wpd