

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ANTHONY EDWARD OLIVER, : Civil No. 3:16-cv-0407
Plaintiff : (Judge Munley)
v. :
JOHN WETZEL, et al., :
Defendants :

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ORDER

AND NOW, to wit, this 29th day of March 2019, upon consideration of the motion (Doc. 103) for summary judgment filed on behalf of Defendants Oliver, Smart, Treweek, Yohn and Stevens, and for the reasons set forth in the Court's Memorandum of the same date, and upon further consideration of various pending motions (Docs. 100, 142, 143, 144, 146, 150, 151, 154) it is hereby ORDERED that:

- 1. The motion (Doc. 103) for summary judgment filed on behalf of DOC Defendants Oliver, Smart, Treweek, Yohn and Stevens is GRANTED.
2. Entry of Judgment in favor of Defendants Oliver, Smart, Treweek, Yohn and Stevens and against Plaintiff is DEFERRED pending final disposition of the matter.
3. Plaintiff's motion (Doc. 150) for environmental testing and motion (Doc. 154) for leave to file a reply to the DOC Defendants' brief in opposition to his motion to compel are DENIED as moot.
4. Plaintiff's motion (Doc. 143) to compel with respect to the DOC Defendants is DENIED as moot. The motion as it relates to the Medical Defendants is DENIED based on their representation that they have produced all medical and other records in their possession and control, that the medical licensure information is not relevant, and, to the extent that Plaintiff desires to obtain such information, it is public information, and

based on their disclosure that none of them have ever been suspended or had any medical board action taken against them (Doc. 147).

5. Plaintiff's motion (Doc. 142) for leave to reopen discovery and compel disclosure is DENIED.
5. Plaintiff's motion (Doc. 144) for imposition of sanctions is DENIED.
6. Plaintiff's motion (Doc. 146) for appointment of counsel is DENIED for the reasons stated in the prior Order (Doc. 124) of Court. If further proceedings demonstrate the need for counsel, the issue will be reconsidered either *sua sponte* or upon motion of Plaintiff.
7. Plaintiff's motion (Doc. 151) to strike the Medical Defendants' omnibus response is DENIED.
8. Plaintiff shall file, on or before April 10, 2019, a brief in opposition to the Medical Defendants' motion (Doc. 100) for summary judgment. Failure to do so will result in the motion being deemed unopposed.
9. Plaintiff shall also file a statement of material facts responding to the numbered paragraphs set forth in Defendants' statement (Doc. 102) of material fact. Failure to do so will result in the facts being deemed admitted. See L.R. 56.1.

BY THE COURT:

s/James M. Munley
JUDGE JAMES M. MUNLEY
United States District Court