

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

JOHN R. LITWAK, JR., D/B/A JRL  
EMERGENCY SERVICES,

Plaintiff,

v.

RICHARD E. TOMKO, MAYOR OF THE  
BOROUGH OF ST. CLAIR et. al,

Defendants.

CIVIL ACTION NO. 3:16-cv-00446

(JUDGE CAPUTO)

**ORDER**

**NOW**, this 17<sup>th</sup> day of January, 2017, **IT IS HEREBY ORDERED** that Plaintiff will file a repleaded Amended Complaint **within fourteen (14) days from the entry of this Order**.

- (1) The repleaded Amended Complaint must list each discrete cause of action in a separate count, and identify with specificity the factual allegations used to support each discrete claim against each individual Defendant(s). Plaintiff is not being granted leave to amend his complaint under Federal Rule of Civil Procedure 15(a)(2), and therefore cannot add new claims and/or parties which are not apparent from the allegations in the instant Amended Complaint.
- (2) Defendants' Motion for Partial Dismissal (Doc. 11) is **DENIED as moot**.
- (3) Defendants must file a responsive pleading to Plaintiff's repleaded Amended Complaint **within fourteen (14) days** from the date on which the repleaded Amended Complaint is served.

/s/ A. Richard Caputo  
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A. Richard Caputo  
United States District Judge