

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

ANTHONY ADAMITIS,

Plaintiff,

v.

BOROUGH OF DICKSON CITY, *et  
al.*,

Defendants.

NO. 3:16-CV0497

(JUDGE CAPUTO)

**ORDER**

**NOW**, this 14<sup>th</sup> day of November, 2017, **IT IS HEREBY ORDERED** that:

- (1) The Motion to Dismiss (Doc. 20) filed by Defendants Borough of Dickson City, Michael Fedorka, Robert Hall, Rose Louryk, Rick Cesari, Jack Horvath, Jeffrey Kovaleksi, and Barbara Mecca is **GRANTED as follows**:
  - (A) The First Amendment claims in Counts I & II of Plaintiff's Second Amended Complaint are **DISMISSED without prejudice**.
  - (B) Plaintiff's state law claim in Count III of Plaintiff's Second Amended Complaint is **DISMISSED without prejudice**.
- (2) Plaintiff has **twenty-one (21) days** from the date of entry of this Order to file a Third Amended Complaint to properly plead his retaliation claims (Counts I & II); otherwise, those claims will be **dismissed with prejudice**.

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