## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF PENNSYLVANIA

GORDON PARKER GOODFELLOW: IV, a minor by GORDON PARKER GOODFELLOW, III and LORENA GOODFELLOW, Parents and **Natural Guardians and GORDON** PARKER GOODFELLOW, III and LORENA GOODFELLOW.

Individually,

**Plaintiffs CIVIL ACTION NO. 3:16-1521** 

(JUDGE MANNION)

CAMP NETIMUS, INC., d/b/a CAMP SHOHOLA FOR BOYS, INC. :

a/k/a CAMP SHOHOLA. INC.: CANDACE KAY LEHMAN and LISA M. CHOU (BRASS),

**Defendants** 

## ORDER

In accordance with the foregoing memorandum, and after considering the briefs of the parties, IT IS HEREBY ORDERED that:

- 1. The defendants' motion to dismiss, (Doc. 12), the parent plaintiffs' cause of action for loss of consortium regarding GPG contained in Count V of the amended complaint, (Doc. 10), is **GRANTED** and this claim is **DISMISSED WITH PREJUDICE**:
- 2. The defendants' motion to dismiss, (Doc. 12), with respect to the plaintiffs' direct corporate medical negligence claims against the Camp contained in Count III of the amended complaint, (Doc. 10), is **GRANTED** and this claim is **DISMISSED WITH PREJUDICE**:

3. The defendants' motion to dismiss, (Doc. 12), with respect to the plaintiffs' vicarious liability claims against the Camp contained in Count III of the amended complaint, (Doc. 10), based on the alleged professional medical negligence of Lehman and Chou is

**DENIED** and this claim shall **PROCEED**;

4. The defendants' motion to dismiss, (Doc. 12), with respect to the plaintiffs' allegations of negligence against the individual defendants contained in the amended complaint, (Doc. 10), is DENIED and Counts I and II of the amended complaint, (Doc. 10), based on the alleged professional medical negligence of Lehman and Chou shall PROCEED;

- 5. The defendants' motion to dismiss, (Doc. <u>12</u>), with respect to all of the plaintiffs' allegations of recklessness against all defendants contained in the amended complaint, (Doc. <u>10</u>), is **DENIED**; and
- 6. The defendants are directed to file their answer to the remaining claims in the plaintiffs' amended complaint, (Doc. <u>10</u>), on or before **May 19, 2017**.

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

**DATED:** May 4, 2017

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