

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

<b>ERIC GRIFFIN,</b>	:	
<b>Plaintiff,</b>	:	<b>CIVIL ACTION NO. 3:16-2412</b>
<b>v.</b>	:	<b>(JUDGE MANNION)</b>
<b>DON E. BOWER, INC.,</b>	:	
<b>Defendant.</b>	:	

**ORDER**

In light of the court's memorandum issued this same day, **IT IS HEREBY ORDERED THAT** the plaintiff's motion to strike, (Doc. [9](#)), is **GRANTED IN PART** and **DENIED IN PART** as follows:

- (1) The plaintiff's motion, (Doc. [9](#)), is granted with respect to the fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fifteenth, seventeenth, eighteenth, nineteenth, and twentieth affirmative defenses listed in the defendant's answer, (Doc. [5](#)), to the plaintiff's complaint, (Doc. [1](#));
- (2) The fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fifteenth, seventeenth, eighteenth, nineteenth, and twentieth affirmative defenses listed in the defendant's answer, (Doc. [5](#)), are **STRICKEN** as redundant and/or legally deficient;
- (3) The plaintiff's motion, (Doc. [9](#)), is **GRANTED IN PART** and **DENIED IN PART** with respect to the sixteenth affirmative defense listed in the defendant's answer, (Doc. [5](#)), to the plaintiff's complaint, (Doc. [1](#));
- (4) The portion of the defendant's sixteenth affirmative defenses alleging that the plaintiff was fired due to a lack of work will stand and the plaintiff's motion is **DENIED** to the extent it seeks to strike this allegation as an affirmative defense; and

- (5) The remaining portion of the defendant's sixteenth affirmative defense is **STRICKEN** and the plaintiff's motion is **GRANTED** in this respect.

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

**Dated: September 28, 2017**

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