

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

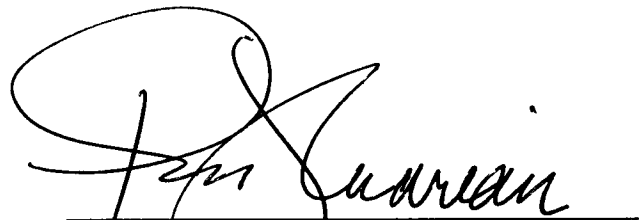
CATHERINE SLAVISH, et al.	:	
	:	
Plaintiffs	:	
v.	:	3:17-CV-1468
	:	(JUDGE MARIANI)
CITY OF WILKES-BARRE, PENNSYLVANIA HOUSING AUTHORITY and DONNA KOZAK	:	
	:	
Defendants	:	

ORDER

AND NOW, THIS 20th **DAY OF OCTOBER, 2018**, upon *de novo* review of Magistrate Judge Carlson’s Report and Recommendation (“R&R”) (Doc. 48), **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 48) is **ADOPTED** for the reasons stated therein as well as those set forth in the accompanying memorandum opinion.
2. Defendant Donna Kozak’s Objections (Docs. 49, 50) are **OVERRULED** for the reasons set forth in the accompanying memorandum opinion.
3. Defendant City of Wilkes-Barre, Pennsylvania Housing Authority’s Objections (Docs. 51, 52) are **OVERRULED** for the reasons set forth in the accompanying memorandum opinion.
4. Defendant City of Wilkes-Barre, Pennsylvania Housing Authority’s Motion to Dismiss (Doc. 17) is **DENIED**.

5. Defendant Donna Kozak's Motion to Dismiss (Doc. 27) is **GRANTED IN PART AND DENIED IN PART AS FOLLOWS:**
- a. Plaintiffs' Substantive Due Process claims are **DISMISSED WITHOUT PREJUDICE.**
 - b. Defendant Kozak's Motion to Dismiss is **DENIED** in all other respects.
6. Plaintiffs are **HEREBY GRANTED 21 days from the date of this Order** to file an Amended Complaint.



Robert D. Mariani
United States District Judge