

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

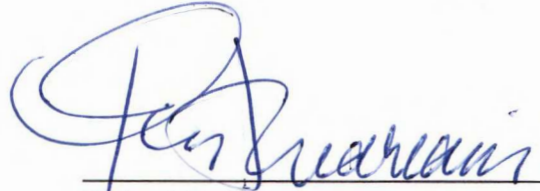
GERONIMO FRATICELLI ROSADO, Jr.,	:	Civil No. 3:18-cv-0601
	:	
Plaintiff	:	(Judge Mariani)
	:	
v.	:	
	:	
RUSSELL JO. BELL, <i>et al.</i> ,	:	
	:	
Defendants	:	

**ORDER**

**AND NOW, THIS 28<sup>th</sup> DAY OF MAY 2021**, upon consideration of the motions to dismiss pursuant Rule 12(b)(6) of the Federal Rule of Civil Procedure filed by Defendants Stanish and DeBoer (Doc. 115) and Defendant Havrilla (Doc. 125), Rosado’s “motion to clear any misconception in support files undisputed facts against Dr. Havrilla” (Doc. 129), and Defendant Havrilla’s motion to strike Rosado’s “motion to clear any misconception in support files undisputed facts against Dr. Havrilla” (Doc. 128), and for the reasons set forth in the Court’s Memorandum of the same date, **IT IS HEREBY ORDERED THAT:**

1. Defendants Stanish and DeBoer’s motion to dismiss (Doc. 115) Plaintiff’s negligence claim is GRANTED. The negligence claims against them are DISMISSED with prejudice in their entirety.
2. Defendant Havrilla’s motion to dismiss (Doc. 125) is GRANTED. The complaint against Defendant Havrilla is DISMISSED with prejudice in its entirety.
3. Defendant Havrilla’s motion to strike (Doc. 128) Rosado’s “motion to clear any misconception in support files undisputed facts against Dr. Havrilla” (Doc. 129) is GRANTED. Rosado’s motion (Doc. 129) is STRICKEN.

4. Discovery on the sole remaining claim, the Eighth Amendment medical care claim pending against Defendants Stanish and DeBoer, shall commence and will close on August 24, 2021.
5. On or before September 7, 2021, the parties shall NOTIFY the Court as to whether they are amenable to mediation.
6. On or before September 7, 2021, the parties shall NOTIFY the Court of their willingness to consent to the jurisdiction of a United States Magistrate Judge. See 28 U.S.C. § 636(c).
7. Dispositive motions shall be filed on or before September 24, 2021.
8. No extensions of the pre-trial schedule shall be granted absent good cause. See FED. R. CIV. P. 16(b).



Robert D. Mariani  
United States District Judge