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

ELAINE AND VICTOR SWANGER, as parents and legal guardians of B.J.S., and B.J.S.,

Plaintiffs,

٧.

4:11-CV-894

(JUDGE MARIANI)

WARRIOR RUN SCHOOL DISTRICT, et al.,

Defendants.

## <u>ORDER</u>

AND NOW THIS 2ND DAY OF OCTOBER, 2018, upon consideration of the Motion for Summary Judgment by Defendants Diversified Treatment Alternatives and Alvin Weaver ("Mental Health Defendants") (Doc. 198) and all accompanying briefs and exhibits, IT IS HEREBY ORDERED THAT:

- The Mental Health Defendants' Motion for Summary Judgment (Doc. 198) is
   GRANTED IN PART AND DENIED IN PART:
  - a. Mental Health Defendants' Motion is GRANTED with respect to Plaintiffs' Negligence Claim against the Mental Health Defendants (Count VIII). Judgment is hereby entered IN FAVOR OF DEFENDANTS Diversified Treatment Alternatives and Alvin Weaver and AGAINST PLAINTIFFS on Count VIII.
  - b. Mental Health Defendants' Motion is **DENIED** with respect to Plaintiffs' Section1983 Claim against the Mental Health Defendants (Count IX).

2.	A date and time for a telephone conference for trial-scheduling purposes will be issued by
	Robert D. Mariani United States District Judge
	Office States District Annue