

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

BRIAN and VICKY BANEY, H/W,	:	
	:	
Plaintiffs	:	CIVIL ACTION NO. 4:14-CV-2393
	:	
v.	:	(JUDGE MANNION)
	:	
JAMES R. FICK, M.D., et al.,	:	
	:	
Defendants	:	

ORDER

Based on the court's memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

- (1) The defendants' motions to dismiss with prejudice plaintiffs' federal claim under EMTALA, (Doc. [62](#)) (Doc. [64](#)) (Doc. [67](#)) (Doc. [75](#)), are **GRANTED**;
- (2) The court declines to exercise supplemental jurisdiction over plaintiffs' remaining state law claims, therefore the plaintiffs may re-file these counts in the appropriate state court.
- (3) The plaintiffs' motion to amend their complaint, (Doc. [74](#)), is dismissed, as moot, without prejudice; and
- (4) The clerk of court is directed to close this case.

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

Date: FEBRUARY 23, 2015