



for More Definite Statement (Doc. No. 24) be granted as to Count II of Plaintiff's Second Amended Complaint in its entirety and as to Count III of Plaintiff's Second Amended Complaint only as it pertains to John Salvitti and Buzz Gardner. Service was made on all counsel of record. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, that they had fourteen (14) days to file any objections. No objections were filed to the Report and Recommendation.

After review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

**AND NOW**, this 3rd day of May, 2010,

**IT IS HEREBY ORDERED** that the Motion to Dismiss filed by Defendants (Doc. No. 24) is **GRANTED** with regard to the claims of aiding and abetting and employment discrimination under Title VII and the Pennsylvania Human Relations Act as against Dr. E. Ronald Salvitti, and said claims against Dr. E. Ronald Salvitti are **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED** that the Motion to Dismiss (Doc. No. 24) the age discrimination claim under the ADEA and PHRA is **GRANTED** as to all Defendants, and said claim is **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED** that the Motion to Dismiss (Doc. No. 24) is **DENIED** with regard to Plaintiff's claim of retaliation under Title VII and the PHRA.

**IT IS FURTHER ORDERED** that Defendants' Motion for More Definite Statement (Doc. No. 24) is **GRANTED** as to Count II of Plaintiff's Second Amended Complaint in its

entirety, and as to Count III of Plaintiff's Second Amended Complaint only as it pertains to John Salvitti and Buzz Gardner. Plaintiff shall file a third amended complaint, on or before May 17, 2010, specifically addressing the issues outlined in the Report and Recommendation.

**IT IS FURTHER ORDERED** that the Report and Recommendation (Doc. No. 30) of Magistrate Judge Lenihan, dated April 8, 2010, is adopted as the opinion of the Court.

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TERRENCE F. McVERRY  
United States District Judge

cc: All Counsel of Record  
*Via Electronic Mail*