



AND NOW, this <sup>7</sup>9 day of August, 2017, **IT IS HEREBY ORDERED** that Defendants' Motion for Summary Judgment [ECF No. 47] is **DENIED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation [ECF No. 52] is **ADOPTED** as the Opinion of the District Court.



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David Stewart Cercone  
United States District Judge

cc: Honorable Cynthia Reed Eddy,  
United States Magistrate Judge  
George M. Kontos, Esquire  
Katie A. Killion, Esquire  
Dennis R. Biondo, Jr., Esquire

*(Via CM/ECF Electronic Mail)*