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Bonenberger v. Plymouth Twp

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Filed December 17, 1997

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 97-1047

CHERYL BONENBERGER,

Appellant,

v.

PLYMOUTH TOWNSHIP; JOSEPH LA PENTA, SERGEANT,
PLYMOUTH TOWNSHIP POLICE DEPARTMENT

APPEAL FROM THE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

(D.C. Civil No. 96-cv-0043)

ARGUED SEPTEMBER 25, 1997

BEFORE: COWEN, ROTH and LEWIS, Circuit Judges.

ORDER AMENDING SLIP OPINION

IT IS HEREBY ORDERED that the last paragraph, on page 14, of the Slip Opinion filed in this case on December 17, 1997, be amended to read as follows:

For the foregoing reasons, we affirm the district court's order granting summary judgment with respect to Bonenberger's Title VII claim of quid pro quo sexual harassment and her section 1983 claim against Plymouth Township. With regard to all other claims, we will reverse the district court's order granting summary judgment and remand for further proceedings consistent with this opinion.¹⁰ On remand, the district court is directed to reinstate plaintiffs' state law claims.

BY THE COURT

/s/ Timothy K. Lewis

Circuit Judge

Dated: December 17, 1997

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Teste:

Clerk of the United States Court of Appeals
for the Third Circuit

10. We also reject Bonenberger's argument that the district court erred in permitting Appellees additional time in which to amend their summary judgment motion. Under the circumstances, this decision was well within the district court's discretion.