

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ERIK BARCLAY,

No. 4:19-CV-02054

Plaintiff,

(Chief Judge Brann)

v.

STABLEY, *et al.*,

Defendants.

ORDER

JANUARY 12, 2022

In accordance with the accompanying Memorandum Opinion, **IT IS
HEREBY ORDERED** that:

1. Defendants' motion for summary judgment (Doc. 37) is **GRANTED
IN PART AND DENIED IN PART**. The motion is granted to the extent that Plaintiff complains of excessive force while Defendants were transporting him to the prison's medical unit but denied in all other respects.

2. The Clerk of Court is directed to enter judgment in favor of Defendants Phillips and Ortiz and dismiss those Defendants from the case.

3. Plaintiff's motion (Doc. 52) to amend the title of his statement of material facts is **DENIED AS MOOT**.

4. This case is REFERRED to the Court's Prisoner Litigation Settlement Program.
5. Joseph Barrett, Esquire, the ADR Coordinator for the Middle District of Pennsylvania, is APPOINTED to serve as mediator.
6. All settlement discussions are confidential and may not be utilized by any party if settlement is not reached.
7. In order to reduce cost, time, expense, and inconvenience, and to suitably address institutional security concerns, counsel for the Defendants and the mediator will coordinate with officials for the Pennsylvania Department of Corrections to schedule video-conference mediation sessions with Plaintiff at mutually convenient times, and in a manner that comports with the needs and concerns of prison officials.
8. The parties shall complete mediation within sixty (60) days of the date of this Order.
9. The parties and the mediator shall promptly notify the Court in writing if this case is resolved through mediation.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
Chief United States District Judge