

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

DISABLED IN ACTION,	:	CIVIL ACTION
Plaintiff,	:	
	:	
vs.	:	
	:	
SOUTHEASTERN PENNSYLVANIA	:	
TRANSPORTATION AUTHORITY,	:	
Defendant.	:	No. 03-1577

ORDER

AND NOW, this 9th day of June, 2005, upon consideration of the Motion for Partial Summary Judgment filed by Disabled in Action (Docket Nos. 85, 86), the response thereto (Docket Nos. 96, 98), and the reply to the response (Docket No. 104), and in light of the fact that (1) discovery in this case remains open and SEPTA has indicated that it has insufficient information from which to respond to several of the facts recited in the Motion, and (2) there remain various disputes with respect to material facts in the case, the Court finds that the filing of the Motion at this time is premature. It is therefore ORDERED that the Motion is DENIED without prejudice.

BY THE COURT:

GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE