

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

RYAN DWYER by and through his parents,
Kevin Dwyer and Rosanne Dwyer,

Plaintiff,

v.

OCEANPORT SCHOOL DISTRICT, et al.,

Defendants.

Civ. No. 03-6005 (SRC)

ORDER

CHESLER, District Judge

This matter having come before the Court pursuant to the motion of Plaintiff Ryan Dwyer and the cross-motion of Defendants Oceanport School District, et al. for summary judgment; for the reasons set forth in the Court's opinion of this date;

IT IS on this 31st day of March, 2005, hereby

ORDERED that Plaintiff Dwyer's motion for summary judgment is granted on the issue of liability, except as to Plaintiff's claims for money damages against Defendants Amato and DiGiovanna; and

IT IS FURTHER ORDERED that Defendants' cross-motion for summary judgment is denied, except as to Defendants Amato and DiGiovanna's application to dismiss monetary damages claims based upon qualified immunity; and

IT IS FURTHER ORDERED that Plaintiff's money damages claims against Defendants Amato and DiGiovanna are hereby dismissed.

s/

Stanley R. Chesler, U.S.D.J.