

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

GERALD McNEAL : CIVIL ACTION
 :
 v. :
 :
 COUNTY OF BUCKS : No. 06-cv-05168-JF

MEMORANDUM AND ORDER

Fullam, Sr. J.

April 3, 2008

In this case arising under the Americans with Disabilities Act, the defendant-employer has filed a motion for summary judgment, and the plaintiff has responded at length. The issue is whether plaintiff was disabled, or was perceived to be disabled, and whether his real or apparent disability was a causal factor in the defendant's adverse employment decisions. In all significant respects, this case is identical to the case of Williams v. Philadelphia Housing Authority, 380 F.3d 751 (3d Cir. 2004). In that case, the Third Circuit Court of Appeals reversed a grant of summary judgment, and I am required to follow that ruling in the present case. The defendant's motion for summary judgment will therefore be denied.

An Order follows.

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	:	
v.	:	
	:	
COUNTY OF BUCKS	:	No. 06-cv-05168-JF

ORDER

AND NOW, this 3rd day of April 2008, upon consideration
of the defendant's motion for summary judgment, IT IS ORDERED:

That the motion is DENIED.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.