

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

AMERICAN LIBRARY ASSOCIATION, : CIVIL ACTION
INC., et al. :
 :
 v. :
 :
 UNITED STATES, et al. : NO. 01-1303

MULTNOMAH COUNTY PUBLIC : CIVIL ACTION
LIBRARY, et al. :
 :
 v. :
 :
 UNITED STATES OF AMERICA, et al. : NO. 01-1322

MEMORANDUM AND ORDER

July , 2001

A motion to dismiss the complaint under Fed.R.Civ.P. 12(b)(6) addresses only the sufficiency of a plaintiff's pleading. After careful consideration of the pending motions and responses, we have concluded that plaintiffs' complaints in these actions contain enough factual allegations to withstand dismissal. Plaintiffs are entitled to an opportunity to prove their allegations. It is therefore Ordered:

That the defendants' Motions to Dismiss the Complaints

are denied.

Edward R. Becker, Ch. J.

John P. Fullam, Sr. J.

Harvey Bartle III, J.