

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

ROBERT WAGNER,)	
)	
Plaintiff,)	
)	
vs.)	Case No.: 3:11-cv-01843-UN2
)	
MAYOR MARY LOU HANNON,)	(Judge Conaboy)
individually, POLICE CHIEF MARK)	
KESSLER, individually, and the)	
Borough of Gilberton,)	(Filed Electronically)
)	
)	
Defendants.)	
)	

**PLAINTIFF’S NOTICE OF ACCEPTANCE OF
DEFENDANTS’ RULE 68 OFFER OF JUDGMENT**

Pursuant to Rule 68(a) of the Federal Rules of Civil Procedure, Plaintiff Robert Wagner, through his undersigned counsel, hereby accepts and provides notice that he accepts Defendants’ Rule 68 Offer of Judgment, dated December 30, 2011, attached hereto as Exhibit A, providing for the entry of judgment in favor of Plaintiff and against defendants Mary Lou Hannon, Mark Kessler and the Borough of Gilberton in the amount of \$15,000, exclusive of costs, expenses and attorneys’ fees accrued.

Dated: January 9, 2012

Respectfully submitted,

/s Irene Ayzenberg-Lyman

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I, Irene Ayzenberg-Lyman, hereby certify that on January 9, 2012, I caused a true and correct copy of the foregoing Plaintiff's Notice of Acceptance of Defendants' Rule 68 Offer of Judgment to be mailed via electronic mail and first class mail to:

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Counsel for Defendants

January 9, 2012

/s/ Irene Ayzenberg-Lyman
Irene Ayzenberg-Lyman