

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

QUINTON BURNS *et al.*,
Plaintiffs,

CIVIL ACTION

v.

SEAWORLD PARKS &
ENTERTAINMENT, INC., SEAWORLD
PARKS & ENTERTAINMENT, LLC AND
JOHN DOES 1,2,3 AND 4,
Defendants.

NO. 22-2941

ORDER

AND NOW, this 8th day of March, 2024, upon of consideration of Plaintiffs' Motion for Leave to File a Second Amended Complaint (ECF No. 123), Defendants' Memorandum in Opposition (ECF No. 124), and Plaintiffs' Reply in Support (ECF No. 128), Plaintiffs' Motion is hereby **GRANTED IN PART** and **DENIED IN PART**. In particular:

1. Plaintiffs' Motion for Leave to Amend to plead a claim of negligent supervision based on alleged racial discrimination by Defendant SeaWorld Parks & Entertainment, Inc. ("SeaWorld") employees performing as costumed characters at Sesame Place Philadelphia is hereby **GRANTED**.
2. To the extent that Plaintiffs' negligent supervision claim is predicated on other alleged acts of racial discrimination not involving employees performing as costumed characters, Plaintiffs' Motion is hereby **DENIED**.

IT IS FURTHER ORDERED that Defendants may file no later than March 15, 2024, a supplemental brief in support of its motion for summary judgment to address only the question of Plaintiff's extant negligent supervision claim. Any response in opposition thereto is due no later than March 22, 2024. Any reply shall be due no later than 10:00 a.m. on March 25.

IT IS FURTHER ORDERED that, to the extent that Plaintiffs seek to amend the definition of their class, for the reason set forth in the accompanying opinion, the Motion is **DENIED AS MOOT**.

BY THE COURT:

/s/ Wendy Beetlestone

WENDY BEETLESTONE, J.