

NOT FOR PUBLICATION

(Doc. No. 21)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

FRANK MacWILLIAMS (trading as
Edgewater Park Amoco and Mac's
Amoco),

Plaintiff,

v.

BP PRODUCTS NORTH AMERICA
INC.,

Defendant.

Civil No. 09-1844 (RBK/AMD)

ORDER

THIS MATTER having come before the Court upon the motion of Defendant BP Products North America Inc. ("BP") for summary judgment dismissing Plaintiff Frank MacWilliams' Amended Complaint; and the Court having considered the parties' submissions:

IT IS HEREBY ORDERED that, for the reasons stated in the Court's accompanying Opinion, BP's motion for summary judgment dismissing Count One of Plaintiff's Amended Complaint is **GRANTED**; and

IT IS HEREBY ORDERED that, for the reasons stated in the Court's accompanying Opinion, BP's motion for summary judgment is **DENIED** regarding Plaintiff's breach-of-contract claim based on his unreturned \$20,000 deposit; and

IT IS HEREBY ORDERED that, for the reasons stated in the Court's accompanying Opinion, BP's motion for summary judgment regarding Plaintiff's remaining breach-of-contract claims is **GRANTED**.

Dated: 11/18/10

/s/ Robert B. Kugler
ROBERT B. KUGLER
United States District Judge