

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

|                          |   |                          |
|--------------------------|---|--------------------------|
|                          | : |                          |
| GEORGE WORRELL, et al,   | : | Hon. Joseph H. Rodriguez |
| Plaintiffs,              | : | Civil Action No. 09-4443 |
| v.                       | : | Order                    |
| ELLIOTT & FRANTZ, et al, | : |                          |
| Defendants.              | : |                          |

These matters having come before the Court on motion for summary judgment of Defendant Elliott & Franz [29] and on cross motion for partial summary judgment [37] of Plaintiffs George and Mary Worrell; and the Court having considered the written submissions of the parties and the arguments advanced during the hearing on June 22, 2011; and for the reasons expressed on the record that day, as well as those set forth in the Opinion of even date;

IT IS on this 28<sup>th</sup> day of June, 2011 hereby

ORDERED that Defendant’s motion for summary judgment [27] is DENIED; and it is further

ORDERED that Plaintiffs’ cross motion for summary judgment [37] is GRANTED IN PART.

/s/ Joseph H. Rodriguez  
Hon. Joseph H. Rodriguez,  
UNITED STATES DISTRICT JUDGE