

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

STEVEN ROBINSON on behalf of
himself and all others
similarly situated,

Civil No. 11-2183 (JBS-JS)

Plaintiff,

ORDER

v.

HORNELL BREWING CO., et al.,
Defendants.

This matter coming before the Court on Plaintiff Robinson's motion to dismiss for lack of subject matter jurisdiction [Docket Item 79] and Defendants' cross-motion for partial summary judgment [Docket Item 85]; the Court having considered the arguments of the parties in favor of and opposing the motions; for the reasons stated in the Opinion of today's date; and for good cause shown;

IT IS this 12th day of December, 2012 hereby

ORDERED that Plaintiff's motion to dismiss the complaint without prejudice is GRANTED; and it is further

ORDERED that Defendants' cross-motion for partial summary judgment is DENIED.

s/ Jerome B. Simandle

JEROME B. SIMANDLE
Chief U.S. District Judge