

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

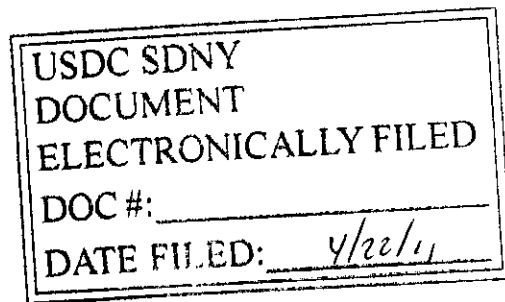
-----X  
PHYLLIS MOLCHATSKY AND STEVEN  
SCHNEIDER,

Plaintiffs,

-against-

UNITED STATES OF AMERICA,  
Defendant.

-----X



09 CIVIL 8697 (LTS)(AJP)

**JUDGMENT**

Defendant having moved to dismiss pursuant to Fed. R. Civ. P. 12(b)(1) for lack of subject matter jurisdiction, and the matter having come before the Honorable Laura T. Swain, United States District Judge, and the Court, on April 19, 2011, having rendered its Opinion and Order granting defendant's motion to dismiss the Complaint, and directing the Clerk of Court to enter judgment dismissing the Complaint for lack of subject matter jurisdiction and to close the case, it is,

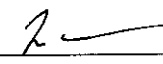
**ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated April 19, 2011, defendant's motion to dismiss the Complaint is granted; accordingly, judgment is entered dismissing the Complaint for lack of subject matter jurisdiction and the case is closed.

**Dated:** New York, New York  
April 22, 2011

**RUBY J. KRAJICK**

\_\_\_\_\_  
**Clerk of Court**

BY:

  
\_\_\_\_\_  
**Deputy Clerk**

THIS DOCUMENT WAS ENTERED  
ON THE DOCKET ON \_\_\_\_\_