

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

SHEET METAL WORKERS	:	
LOCAL 441 HEALTH & WELFARE	:	
PLAN, et al.,	:	CIVIL ACTION
Plaintiffs	:	
	:	
v.	:	NO. 04-5898
	:	
GLAXOSMITHKLINE, PLC, et al,	:	
Defendants	:	
	:	

ORDER

STENGEL, J.

AND NOW, this 2nd day of November, 2009, upon careful consideration of the defendants' motion for judgment on the pleadings (Document #221) and the plaintiffs' response thereto, IT IS **HEREBY ORDERED** that:

1. The defendants' motion for judgment on the pleadings is **GRANTED** with respect to all antitrust and consumer protection claims in Counts I and II of the Amended Consolidated Complaint. These claims are dismissed without prejudice.
2. The defendants' motion for judgment on the pleadings is **DENIED** with respect to the unjust enrichment claims arising under Alabama and Illinois law; it is **GRANTED** with respect to all other unjust enrichment claims in Count III of the Amended Consolidated Complaint, and these claims are dismissed without prejudice.
3. Plaintiff Sidney Hillman is dismissed from this action.
4. Plaintiffs are granted 30 days leave to amend their complaint to enumerate the states into which reimbursements were sent during the relevant period.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.