

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

AMERICAN STORES PROPERTIES, INC.,	:	CIVIL ACTION
	:	
	:	NO. 05-1461
Plaintiff,	:	
	:	
v.	:	
	:	
SPOTTS, STEVENS & MCCOY, INC., et al.,	:	
	:	
Defendants.	:	

**ORDER**

AND NOW, this 13th day of August, 2009, upon consideration of Defendant Timothy E. Debes' Motion to Dismiss (Doc. No. 40), it is hereby ORDERED as follows:

1. Defendant's Motion to Dismiss is GRANTED as to Counts III and IV of the Amended Complaint;
2. Pursuant to the Court's Opinions in this case filed on this date, Plaintiff may file an Amended Complaint consistent with the Opinions.

BY THE COURT:

s/ Joel H. Slomsky  
JOEL H. SLOMSKY, J.