

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

IN RE MUSHROOM DIRECT	:	Master File NO. 06-0620
PURCHASER ANTITRUST	:	
LITIGATION	:	
	:	
THIS DOCUMENT RELATES TO:	:	
ALL ACTIONS	:	

**ORDER**

AND NOW, this 6th day of March, 2017, upon consideration of defendants' motion for partial summary judgment on the issue of entitlement to immunity from plaintiffs' claims under § 1 of the Sherman Act and for Reconsideration of the Court's March 2, 2009 Opinion (Dkt. No. 513), plaintiffs' opposition to the motion for summary judgment with respect to John Pia (Dkt. No. 612), certain defendants'<sup>1</sup> reply in support of the motion of John Pia for partial summary judgment (Dkt. No. 615), plaintiffs' sur-reply in opposition to the motion of John Pia for partial summary judgment (Dkt. No. 650) and defendant John Pia's sur-reply in support of the motion for partial summary judgment (Dkt. No. 652), it is ORDERED that the motion is DENIED to the extent that it seeks summary judgment in defendants' favor with respect to plaintiffs' claims against John Pia.

s/Thomas N. O'Neill, Jr.  
THOMAS N. O'NEILL, JR., J.

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<sup>1</sup> Here, "certain defendants" are: the Eastern Mushroom Marketing Cooperative (EMMC), Robert A. Feranto, Jr., t/a Bella Mushroom Farms; Brownstone Mushroom Farms, Inc.; Brownstone Farms, Inc.; Brownstone Mushroom Farm; To-Jo Fresh Mushrooms, Inc.; Country Fresh Mushroom Co.; Gino Gaspari & Sons, Inc.; Gaspari Mushroom Co., Inc.; Gaspari Bros., Inc.; Kaolin Mushroom Farms, Inc.; South Mill Mushroom Farms, Inc.; South Mill Mushroom Sales, Inc.; Sher-Rockee Mushroom Farm, LLC; C&C Carriage Mushroom Co.; Oakshire Mushroom Farm, Inc.; Phillips Mushroom Farms, Inc.; Louis M. Marson Jr., Inc.; Monterey Mushrooms, Inc.; John Pia; and Michael Pia. See Dkt. No. 513 (Mot.) at 3; Dkt. No. 513 (Mem.) at 13.