

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

TOLL BROS. INC.,	:	
	:	
Plaintiff,	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 07-1296
CENTURY SURETY COMPANY, ET AL.,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this ____ day of June 2011, upon consideration of Plaintiff, Toll Bros. Inc.'s Motion For Partial Summary Judgment (Doc. 41); Defendant Essex Insurance Company's Response in Opposition thereto (Doc. 45); Defendant Essex Insurance Company's Motion For Summary Judgment (Doc. 40) and Plaintiff, Toll Bros. Inc.'s Response in Opposition thereto (Doc. 44), **IT IS HEREBY ORDERED AND DECREED** that the Motions are **DENIED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that the parties shall participate in a case management telephone conference on **Wednesday, July 6, 2011 at 11:00 a.m.**¹

BY THE COURT:

/s/ **Petrese B. Tucker**

Hon. Petrese B. Tucker, U.S.D.J.

¹ The purpose of the conference is to discuss the need for additional discovery and to set deadlines for such.