

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

IN RE: AVANDIA MARKETING, SALES	:	MDL NO. 1871
PRACTICES AND PRODUCTS	:	07-MD-01871
LIABILITY LITIGATION	:	

THIS DOCUMENT APPLIES TO:	:	HON. CYNTHIA M. RUFÉ
	:	
RICHARD V. D'APUZZO	:	CIVIL ACTION
<i>on behalf of himself and all others similarly</i>	:	
<i>situated</i>	:	
v.	:	
	:	
SMITHKLINE BEECHAM CORPORATION	:	
d/b/a GLAXOSMITHKLINE	:	NO. 07-4963

ORDER

AND NOW, this 10th day of July 2013, upon consideration of Defendant's Motion to Dismiss [Doc. No. 28] and the response and replies thereto, it is hereby **ORDERED** that the Motion is **GRANTED** for the reasons set forth in the accompanying Memorandum Opinion. The Third Amended Complaint is **DISMISSED** with prejudice. The Clerk is directed to **CLOSE** the case.

It is so **ORDERED**.

BY THE COURT:


 CYNTHIA M. RUFÉ, J.