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

GALE FITZPATRICK and THE ESTATE OF COLIN FITZPATRICK, Plaintiffs,

Civil Action No. 08-1137

v.

UNIVERSAL TECHNICAL INSTITUTE, INC.

Defendant.

ORDER

AND NOW, this 11th day of August, 2010, for the reasons stated in the accompanying memorandum, it is hereby ORDERED that defendant's motion to dismiss (docket no. 46) is GRANTED. Plaintiffs' second amended complaint is DISMISSED WITH PREJUDICE.

BY THE COURT:

/s/Louis H. Pollak Pollak, J.