MCCRACKEN v. EXXON/MOBIL COMPANY et al Doc. 58

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

TED A. MCCRACKEN Plaintiff,	:	CIVIL ACTION
v.	:	No. 08-2932
EXXON/MOBIL COMPANY et al. Defendants.	:	

ORDER

AND NOW, this 16th day of November, 2009, upon consideration of Defendants' Motions to Dismiss (doc. nos. 7, 8, 12, 16, 55) and Plaintiff's responses thereto, it is **ORDERED** that said motions are **GRANTED**. For the reasons set forth in the attached Opinion, the unserved Complaints filed against Texaco and Hess Oil Company are also dismissed; however the claims against Texaco and Hess Oil Company alleging breach of warranty of merchantability are dismissed without prejudice.

It is further **ORDERED** that Plaintiff's four Motions for Leave to File an Amended Complaint (doc. nos. 29, 41, 44, 48) are **DENIED** and Defendants' Motions for Leave to File Reply Briefs in Support of Motions to Dismiss (doc. nos. 37, 38, 45) are **DENIED** as **MOOT.**

The Clerk's Office is **ORDERED** to mark this case closed.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.

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