

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

JUDITH SCHAEFER-CONDULMARI	:	CIVIL ACTION
	:	
v.	:	
	:	
US AIRWAYS GROUP, INC.	:	
d/b/a US AIRWAYS	:	NO.09-1146

ORDER

AND NOW, this 8th day of December, 2009, upon consideration of the Plaintiff's Motion to Remand (Docket No. 7) and the Defendant's Motion to Dismiss (Docket No. 4), and the responses and replies thereto, and upon consideration of the parties' supplemental submissions on jurisdiction, IT IS HEREBY ORDERED, for the reasons set forth in a Memorandum of today's date, that:

1. The plaintiff's Motion to Remand is DENIED.
2. The defendant's Motion to Dismiss is GRANTED, and the plaintiff's complaint is DISMISSED WITHOUT PREJUDICE.
3. The plaintiff may file an amended complaint on or before December 30, 2009, to bring a claim under the Montreal Convention.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.