

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

**CULINARY SERVICES OF DELAWARE  
VALLEY, INC. and MARTIN CAPLAN,**

**Plaintiffs,**

**v.**

**BOROUGH OF YARDLEY,  
PENNSYLVANIA, ET AL.**

**Defendants.**

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**CIVIL ACTION**

**NO. 09-1251**

**ORDER**

**AND NOW**, this \_\_\_ of August, 2009, upon consideration of Defendants’ Motions to Dismiss (Docs. 14 and 15), and Plaintiffs’ Response thereto (Doc. 16), **IT IS HEREBY ORDERED AND DECREED** that Defendants’ Motions are **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiffs’ Complaint is **DISMISSED WITHOUT PREJUDICE**. The Clerk of the Court shall mark the above-captioned matter as **CLOSED** for statistical purposes.

**BY THE COURT:**

**/s/ Petrese B. Tucker**

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