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

PAETEC COMMUNICATIONS, INC., et al.	:	CIVIL ACTION
v.	:	
MCI COMMUNICATIONS SERVICES, INC. D/B/A VERIZON BUSINESS SERVICES, et al.	:	NO. 09-1639

ORDER

AND NOW, this 26th day of April, 2010, upon consideration of plaintiffs'[1] motion for summary judgment (docket entry # 27), defendants MCI Communications Services, Inc., d/b/a Verizon Business Services and Verizon Global Networks, Inc.'s (collectively, "Verizon") motion for partial summary judgment (docket entry # 26), the responses thereto, Verizon's motion for leave to file a supplemental declaration (docket entry # 30), and PAETEC's response thereto (docket entry # 31), and in accordance with the accompanying Memorandum, it is hereby ORDERED that:

1. PAETEC's motion for summary judgment is GRANTED IN

[1]PAETEC Communications, Inc., PAETEC Communications of Virginia, Inc., US LEC Communications Inc d/b/a PAETEC Business Services, US LEC of Pennsylvania LLC d/b/a PAETEC Business Services, US LEC of Virginia LLC d/b/a PAETEC Business Services, US LEC of Maryland LLC d/b/a PAETEC Business Services, US LEC of Alabama LLC d/b/a PAETEC Business Services, US LEC of Georgia LLC d/b/a PAETEC Business Services, US LEC of South Carolina d/b/a PAETEC Business Services, and US LEC of Tennessee Inc. d/b/a PAETEC Business Services (collectively, "PAETEC").

PART and DENIED IN PART as described in the foregoing Memorandum;

2. Verizon's motion for partial summary judgment is DENIED IN PART but GRANTED IN PART insofar as it relates to the SWAS-DC-related claims from April 17, 2007 to the present, all in accordance with the foregoing Memorandum;[2]

3. Verizon's motion for leave to file a supplemental declaration is GRANTED;

4. The parties shall by May 28, 2010 SUBMIT their views as to whether mediation before Judge Hart would likely be productive;

5. Further scheduling shall abide the resolution of the mediation question; and

6. In the meantime, the Clerk of Court shall TRANSFER this case from our Active docket to our Civil Suspense docket.

BY THE COURT:

__\s\Stewart Dalzell

[2] Perhaps needless to say, we have not opined on PAETEC's quantum meruit claims, which we leave to another day.