

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

<p>NANCY PASQUALE,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>GENERAL SCIENCES, INC., PETER ZAVITSANOS, ALICE ZAVITSANOS and EVELYN DOWNS,</p> <p style="text-align: center;">Defendants.</p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p>CIVIL ACTION</p> <p>No. 09-1735</p>
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ORDER

 AND NOW, this 19th day of April, 2010, after a hearing in open court and upon consideration of Defendants’ Motion for Summary Judgment Regarding Number of Employees (Doc. No. 10), and the Responses and Replies thereto, it is hereby **ORDERED** that:

- (1) Defendants’ Motion is **GRANTED**;
- (2) Count I of Plaintiff’s Complaint is **DISMISSED WITH PREJUDICE**;
- (3) Counts II, III and IV of Plaintiff’s Complaint are **DISMISSED WITHOUT PREJUDICE**;
- (4) Defendants’ Motion for Partial Summary Judgment for Claims Barred by Applicable Statute of Limitations (Doc. No. 18) is **DENIED AS MOOT**; and
- (5) Defendants’ Motion for Summary Judgment for Failure to

Establish a Prima Facie Case (Doc. No. 20) is **DENIED AS
MOOT.**

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE