

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

GLASS ARTISTRY	:	CIVIL ACTION
ARCHITECTURAL GLASS &	:	
METAL, LLC	:	
	:	
v.	:	
	:	
WESTERN SURETY COMPANY	:	NO. 09-2244

ORDER

AND NOW, this 27th day of January, 2010, upon consideration of the Motion for Summary Judgment of Plaintiff Glass Artistry Architectural Glass & Metal, LLC, (Docket No. 10) and the Motion to Stay of Defendant Western Surety Company (Docket No. 9), and the responses and replies thereto, IT IS HEREBY ORDERED, for the reasons set out in a Memorandum of today's date, that:

1. The plaintiff's Motion for Summary Judgment is DENIED without prejudice to the plaintiff's right to raise its arguments again on a full record after discovery.

2. The defendant's Motion for a Stay is GRANTED. This case shall be STAYED until further Order of the Court, pending the resolution of the mediation and possible subsequent state court action between non-parties Magnum, Inc., and West Whiteland Township, respectively the general contractor and owner of the construction project at issue in this matter.

3. Counsel shall send a written report as to the status of the dispute resolution process between Magnum, Inc., and West Whiteland Township on or before July 30, 2010, and shall notify the Court promptly if the dispute resolution process concludes before that date.

4. The Clerk of Court shall place this matter in Civil Suspense.

BY THE COURT:

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