

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

Thor Cheltenham Square Mall, L.P.,

Plaintiff,

v.

Rush Dental Associates of
Pennsylvania, P.C. d/b/a Modern Dental
Concepts, et al.,

Defendants.

CIVIL ACTION

NO. 09-2601

FILED

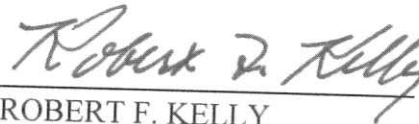
AUG 26 2009

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 26th day of August, 2009, in consideration of the Motion to Dismiss Plaintiff's Complaint for Lack of Subject Matter Jurisdiction or in the Alternative for Discovery Limited to Jurisdictional Issues filed by Defendants Rush Dental Associates of Pennsylvania, P.C. d/b/a Modern Dental Concepts, and Howard M. Koff, D.D.S. and Associates, P.C. d/b/a The Orthodontist (Doc. No. 6), and the response thereto, it is hereby **ORDERED** that the Motion to Dismiss is **DENIED**.

BY THE COURT:



ROBERT F. KELLY
SENIOR JUDGE