DEFEBO v. ANDERSEN WINDOWS, INC. et al Doc. 27

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

| | | |
|---|---|---|
| DANIEL DeFEBO, | : | |
| | : | |
| Plaintiff, | : | CIVIL ACTION |
| | : | |
| v. | : | No.09-2993 |
| | : | |
| ANDERSEN WINDOWS, INC., | : | |
| and HOME DEPOT U.S.A., INC., | : | |
| | : | |
| Defendant. | : | |

**ORDER**

AND NOW, this 24th day of September, 2009, upon consideration of Defendant Andersen Window's Motion to Dismiss, it is hereby ORDERED that Defendant's Motion is DENIED.

Per this Court's earlier Orders (Docs. 16 and 25 ), Plaintiff is hereby ORDERED to file within fourteen (14) days a Second Amended Complaint consolidating the surviving counts against Defendants Andersen Windows, Inc. and Home Depot U.S.A., Inc.

BY THE COURT:

/s/ Michael M. Baylson
Michael M. Baylson, U.S.D.J.

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