

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

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|---|---|--------------|
| ST. PAUL FIRE & MARINE INSURANCE CO., | : | CIVIL ACTION |
| Plaintiff, | : | |
| | : | |
| v. | : | No. 09-3908 |
| | : | |
| PRIMAVERA SOFTWARE, INC., <u>et al.</u> , | : | |
| Defendants. | : | |
| | : | |

ORDER

AND NOW, this 5th day of August, 2011, upon consideration of “Defendant Donna Hill’s Motion for Summary Judgment,” (doc. no. 73), the “Motion for Summary Judgment of Plaintiff, St. Paul Fire & Marine Insurance Co.,” (doc. no. 74), Plaintiff’s “Crossmotion to Strike the Affidavit of John Wilburn,” (doc. no. 75), the respective responses thereto, and for the reasons set forth in the accompanying Memorandum Opinion, it is hereby **ORDERED** that Defendant Hill’s motion is **DENIED** and Plaintiff’s motions are **GRANTED**.

IT IS FURTHER ORDERED that judgement and the requested declaratory relief are entered in favor of Plaintiff, St. Paul Fire and Marine Insurance Co., and against Defendants Donna Hill, Primavera Software, Inc., John Wilburn and Ray Garman, in that there is no coverage under insurance policy number TE02902577¹ for the motor vehicle accident at issue. The Clerk of Court is directed to mark this case **CLOSED**.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.

¹ I note that Plaintiff’s declaratory judgment action seeks relief under policy number ZZP92L43756; however, the policy attached to their motion for summary judgment reflects a policy number of TE02902577.