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

SUSAN FRATTAROLA, et al.,

Plaintiffs,

v. : CIVIL ACTION

MERCY HEALTH SYSTEM OF SOUTHEASTERN PENNSYLVANIA, et al., Defendants.

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NO.

09-5533

<u>ORDER</u>

AND NOW, this 7th day of August 2012, upon consideration of Defendants' Motion to Dismiss the Third Amended Complaint (Doc. No. 202), Plaintiffs' Response in Opposition thereto (Doc. No. 204), and Defendants' Reply (Doc. No. 209), and for the reasons stated in the Opinion filed this day, it is hereby **ORDERED** that the Motions are **GRANTED** as follows:

- 1. Plaintiffs' federal claims are **DISMISSED** with prejudice.
- 2. The Court declines to exercise supplemental jurisdiction over the remaining state-law claims which are **DISMISSED** without prejudice to the reassertion of these claims in state court to the extent Plaintiffs can do so consistent with the Court's rulings.

It is **FURTHER ORDERED** that Defendants' Individual Motion to Dismiss (Doc. No. 201) is **DISMISSED as moot**.

The Clerk of Court is directed to **CLOSE** this case.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFE, J.