

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

**KENNETH LYNN, et al.,
Plaintiffs,**

v.

**JEFFERSON HEALTH SYSTEM, et al.,
Defendants.**

CIVIL NO. 09-5549

ORDER

AND NOW, this 8th day of September 2011, upon consideration of this Court's attached Memorandum Opinion and Order, and for the reasons stated therein and hereby incorporated, it is hereby **ORDERED**:

- 1) The Jefferson Defendants' Motion to Dismiss [doc. no. 294], the Einstein Defendants' Motion to Dismiss [doc. no. 292], and the Jefferson Defendants' Individual Motion to Dismiss [doc. no. 295] are **GRANTED**.
- 2) In view of the dismissal, the following motions are **DENIED AS MOOT**:
 - a) Plaintiffs' Motion for Expedited Collective Action Notification [doc. no. 246];¹ and,
 - b) Plaintiffs' Motion for Expedited Hearing on Plaintiffs' Motion for Expedited Notice to Affected Employees [doc. no. 249]; and,
 - c) Plaintiffs' Motion to Stay Non-FLSA claims [doc. no. 304]; and
 - d) Defendants' Motion to Quash Plaintiffs' Third-Party Subpoenas [doc. no. 228].
- 3) The Plaintiffs' request for leave to amend is **GRANTED**. The plaintiffs have thirty days to file a second amended complaint

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.

¹This motion was improperly docketed as a "Motion to Certify."