

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

AZRIEL WEAVER,	:	
Plaintiff,	:	CIVIL ACTION
	:	NO. 09-5592
v.	:	
	:	
CONRAIL, INC., et. al.,	:	
Defendants.	:	

ORDER

AND NOW, this 12th day of July, 2010, upon consideration of the Motion to Dismiss (Doc. No. 7) and Brief in Support (Doc. No. 8) of Defendants Conrail, Inc., Consolidated Rail Corporation and Conrail Shared Assets (hereinafter “Conrail Defendants”), Plaintiff’s Response in Opposition (Doc. No. 12), Plaintiff’s Petition to Remand (Doc. No. 13), Conrail Defendants’ Supplement to their Motion to Dismiss and Reply Brief in Support of Motion to Dismiss (Doc. Nos. 14 and 15), Conrail Defendants’ Motion for Reconsideration of December 30, 2009 Order Granting Plaintiff’s Motion to Remand (Doc. No. 18), Plaintiff’s Response in Opposition (Doc. No. 20), Conrail Defendants’ Supplemental Brief in Opposition to Plaintiff’s Motion to Remand (Doc. No. 23), and Plaintiff’s Response to Defendants’ Supplemental Brief (Doc. No. 25), and after a hearing on the Motion, it is ORDERED as follows:

1. The Motion for Reconsideration of December 30, 2009 Order Granting Plaintiff’s Motion for Remand (Doc. No. 18) and the Motion to Dismiss (Doc. No. 7) are GRANTED;
2. Defendants Conrail, Inc., Consolidated Rail Corporation and Conrail Shared Assets are DISMISSED WITHOUT PREJUDICE;

3. Plaintiff is granted leave to file an amended complaint and, if appropriate, a motion to remand, on or before **July 26, 2010**.

BY THE COURT:

/s/ Joel H. Slomsky, J.
JOEL H. SLOMSKY, J.