

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

NTP MARBLE, INC., t/a	:	CIVIL ACTION
COLONIAL MARBLE & GRANITE,	:	
Plaintiff/Counterclaim Defendant,	:	
	:	
v.	:	
	:	
AAA HELLENIC MARBLE, INC.,	:	No.: 09-cv-5783
Defendant/Crossclaim Plaintiff/	:	
Counterclaim Plaintiff,	:	
NICHOLAS ALEXIADAS,	:	
Defendant/Crossclaim Plaintiff/	:	
Counterclaim Plaintiff,	:	
RICHARD MOSER,	:	
Defendant/Crossclaim Defendant,	:	
JOHN AND JANE DOES (1-10),	:	
Defendants,	:	
DOE ENTITIES (1-10),	:	
Defendants.	:	

ORDER

AND NOW, this 30th day of June, 2011, upon consideration of Plaintiff NTP Marble, Inc.’s Motion to Dismiss Counterclaims (Doc. No. 60), Defendants’, AAA Hellenic Marble, Inc. and Nicholas Alexiadas, Response in Opposition to Plaintiff’s Motion to Dismiss Counterclaims (Doc. No. 65), Plaintiff’s Reply in Further Support of Motion to Dismiss Counterclaims (Doc. No. 71), Defendants’ Sur Reply to Plaintiff’s Reply in Further Support of Motion to Dismiss Counterclaims (Doc. No. 73 & 74), and for the reasons set forth in the accompanying Memorandum, it is hereby **ORDERED** that Plaintiff’s motion will be **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Plaintiff’s Motion to Dismiss Counterclaims is **GRANTED** as to Counts III and

IV; and

2. Plaintiff's Motion to Dismiss Counterclaims **DENIED** as to Counts I and II.

BY THE COURT:

/s/ Lynne A. Sitarski
LYNNE A. SITARSKI
UNITED STATES MAGISTRATE JUDGE