

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

KEYSTONE ASSET MANAGEMENT,	:	
INC.,	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	NO. 10-cv-02088
	:	
WEST AMERICAN INSURANCE	:	
COMPANY,	:	
Defendant.	:	

ORDER

AND NOW, this 21st day of October, 2010, upon consideration of Plaintiff's Motion for Partial Summary Judgment Pursuant to FRCP 56 to Compel an Appraisal to Determine the Amount of Loss (ECF No. 7) and Defendant's Cross-Motion for Partial Summary Judgment as to Count I of Plaintiff's Complaint (ECF No. 10), and all documents filed in support thereof and in opposition thereto, it is hereby ORDERED as follows:

1. Plaintiff's Motion is DENIED;
2. Defendant's Cross-Motion is GRANTED; and
3. Count I of Plaintiff's Complaint is dismissed.

BY THE COURT:

s/J. Curtis Joyner

J. CURTIS JOYNER, J.