SZYMANSKI v. SACCHETTA et al Doc. 33

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

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| **GEORGE R. SZYMANSKI,** | : | **CIVIL ACTION** |
| **Plaintiff,** | : | |
| **v.** | : | **NO. 2:10-cv-02336-JD** |
| **THOMAS SACCHETTA, GERALD BALDINO, JR., and SACCHETTA AND BALDINO,** | : | |
| **Defendants.** | : | |

**O R D E R**

**AND NOW**, this 25th day of January, 2012, upon consideration of Defendants' Motion to Dismiss Plaintiff's Claim for Breach of Contract from Plaintiff's Amended Complaint (Doc. No. 24, filed October 14, 2011), treated by this Court as a Motion for Summary Judgment, and Plaintiff's Brief in Opposition to the Defendants' Motion for Summary Judgment (Doc. No. 29, filed October 31, 2011), for the reasons set forth in the Memorandum dated January 25, 2012, **IT IS ORDERED** that Defendants' Motion to Dismiss Plaintiff's Claim for Breach of Contract from Plaintiff's Amended Complaint, treated by this Court as a Motion for Summary Judgment, is **DENIED**.

**BY THE COURT:**

/s/ Jan E. DuBois

**JAN E. DUBOIS, J.**



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