

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

<b>ERCOLE MIRARCHI,</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>SENECA SPECIALTY INSURANCE COMPANY,</b>	:	
<b>Defendant.</b>	:	<b>No. 10-3617</b>

**ORDER**

**AND NOW**, this 22nd day of March, 2013, upon consideration of Defendant's Motion for Summary Judgment (Docket Nos. 31, 32), Plaintiff's Opposition and Cross Motion for Summary Judgment (Docket Nos. 33, 34), and the supplements and replies thereto (Docket Nos. 36, 46, 49, 50, 61, 62, 63, 67, 70), and following oral argument on April 12, 2012 and July 23, 2012, it is hereby **ORDERED** that Defendant's Motion (Docket No. 31) is **GRANTED**, and Plaintiff's Motion (Docket No. 33) is **DENIED**. Judgment is entered in favor of Defendant. The Clerk of Court shall mark this case as **CLOSED** for all purposes, including statistics.

BY THE COURT:

S/Gene E.K. Pratter  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE