

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

BROWN & BROWN, INC.,	:	
BROWN & BROWN OF	:	
PENNSYLVANIA, INC. and GRINSPEC,	:	
INC.	:	
	:	CIVIL ACTION
Plaintiffs,	:	
	:	
v.	:	
	:	
ROBERT COLA, RYAN TOLA, and	:	NO. 10-3898
DOYLE ALLIANCE GROUP,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 13th day of July, 2011, upon consideration of Defendant Robert Cola’s Motion for Leave to Amend Counterclaims Pursuant to Federal Rule of Civil Procedure 15(a)(2) (Docket No. 101) and the Response of Plaintiffs Brown & Brown, Inc., Brown & Brown of Pennsylvania, Inc., and Grinspec, Inc. (Docket No. 104), it is hereby **ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART**, as follows:

1. Defendant Cola’s Motion for Leave to include a breach of contract action against Brown & Brown, Inc. and Brown & Brown of Pennsylvania, Inc. is **DENIED**;
2. Defendant Cola’s Motion for Leave to include a claim for recovery of attorneys’ fees pursuant to Section 35(a) of the Lanham Act is **GRANTED**.
3. Within fifteen (15) days from the date of this Order, Defendant Cola shall file an Amended Counterclaim reflecting the changes allowed and disallowed by this Order.

It is so **ORDERED**.

BY THE COURT:

s/ Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.