

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

VALASSIS DIRECT MAIL, INC.,

Plaintiff,

v.

MUNICIPALITY OF NORRISTOWN,

Defendant.

Civil Action No. 11-2550

OPINION AND ORDER

1) On April 13, 2011, Plaintiff Valassis Direct Mail, Inc. initiated this action challenging the constitutionality of Ordinance 11-03 of 2011 enacted by the Municipality of Norristown.

2) The Ordinance provided restrictions on commercial handbill distribution within the Municipality.

3) Valassis sought injunctive relief and for the Court to declare the Ordinance unconstitutional.

4) With the help of the Court, the parties agreed that the Ordinance would not be enforced until after the Court ruled following a final injunction hearing to be scheduled sometime after July 11, 2011.

5) In the interim, the Municipality repealed the Ordinance effective June 26, 2011.

6) "If developments occur during the course of adjudication that ... prevent a court from being able to grant the requested relief, the case must be dismissed as moot." Blanciak v. Allegheny Ludlum Corp., 77 F.3d 690, 698-99 (3d Cir. 1996).

7) Upon the Municipality repealing the challenged Ordinance, the case and controversy between the parties no longer exists warranting the Court to dismiss the action as moot. U.S.C.A. Const. Art. 3, § 2, cl. 1.

AND NOW THIS 5th day of July, 2011, upon notification by the parties that the

Municipality of Norristown Ordinance 11-03 of 2011 has been repealed, IT IS HEREBY

ORDERED that the Complaint and request for injunctive relief are dismissed as MOOT.

SO ORDERED:



Hon. Anita B. Brody, USDJ

DATE: