

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

HIRIAM HICKS, INC.	:	CIVIL ACTION
	:	
v.	:	
	:	
SYNAGRO WWT, LLC	:	NO. 11-3154

ORDER

AND NOW, this 31st day of May, 2012, upon consideration of plaintiff and counterclaim defendant Hiriam Hicks, Inc.'s ("HHI's") motion for partial summary judgment (docket entry # 22), defendant and counterclaim plaintiff Synagro WWT, LLC's ("Synagro's") motion for summary judgment (docket entry # 23), Synagro's motion to strike declaration of Hiriam Hicks (docket entry # 30), HHI's motion to amend or correct declaration (docket entry # 33), and any memoranda, responses, replies, and exhibits filed regarding these submissions, and upon the analysis set forth in the accompanying Memorandum, it is hereby ORDERED that:

1. Synagro's motion to strike declaration of Hiriam Hicks (docket entry # 30) is GRANTED;
2. Those portions of Hiriam Hicks' declaration (Ex. A to docket entry # 26) setting forth (1) legal argument, (2) summaries of exhibits, or (3) inadmissible hearsay are STRICKEN;
3. HHI's motion to amend or correct declaration (docket entry # 33) is DENIED;

4. HHI's motion for partial summary judgment (docket entry # 22) is GRANTED;

5. Synagro's motion for summary judgment (docket entry # 23) is DENIED;

6. In accordance with Loc. R. Civ. P. 72.1 and 28 U.S.C. § 636(b)(3), this case is REFERRED to Judge Jacob P. Hart to attempt to resolve this controversy; and

7. The parties shall COOPERATE in accordance with Judge Hart's instructions and shall make every effort to meet with him at his earliest convenience.

BY THE COURT:

___\s\Stewart Dalzell