

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

DUNKIN' DONUTS FRANCHISED	:	
RESTAURANTS, LLC, DD IP	:	
HOLDER, LLC, BASKIN-ROBBINS	:	
FRANCHISED RESTAURANTS,	:	CIVIL ACTION
LLC and DB REAL ESTATE	:	
ASSETS I, LLC,	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
CLAUDIA I, LLC, MANFRED P.	:	No. 12-2010
MAROTTA and LYNNE K.	:	
MAROTTA,	:	
Defendants.	:	
	:	
v.	:	
	:	
SPRING HILL REALTY, INC.,	:	
Third Party Defendant.	:	

ORDER

AND NOW, this 15th day of July, 2013, upon consideration of the Third Party Defendant's Motion to Dismiss the Amended Third Party Complaint (Doc. No. 43), and the Response thereto, it is hereby **ORDERED** that the Motion is **GRANT IN PART AND DENY IN PART** as follows:

1. Defendant's Motion to Dismiss Count I is **DENIED**;
2. Defendant's Motion to Dismiss Count II is **DENIED**;
3. Defendant's Motion to Dismiss Count III is **DENIED**;
4. Defendant's Motion to Dismiss Count VII is **DENIED**; and

5. Defendant's Motion to Dismiss Count VIII is **GRANTED**.

BY THE COURT:

/s/LAWRENCE F. STENGEL
LAWRENCE F. STENGEL, J.