

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

TRUSTEES OF THE UNIVERSITY : CIVIL ACTION
OF PENNSYLVANIA :
 :
v. :
 :
ST. JUDE'S CHILDREN'S RESEARCH :
HOSPITAL : NO. 12-4122

ORDER

AND NOW, this 12th day of April, 2013, upon consideration of defendant St. Jude Children's Research Hospital's motion to dismiss Count I of the amended complaint filed by the Trustees of the University of Pennsylvania (docket entry # 9), St. Jude's motion for leave to file a reply brief (docket entry # 19), and St. Jude's motion to dismiss Count I of the University's counterclaim (docket entry # 21), it is hereby ORDERED that:

1. St. Jude's motion to dismiss (docket entry # 9) is GRANTED;
2. St. Jude's motion for leave to file a reply brief (docket entry # 19) is GRANTED;
3. Defendant's second motion to dismiss (docket entry # 21) is GRANTED; and

4. By noon on April 26, 2013, St. Jude shall ANSWER the University's complaint.

BY THE COURT:

/S/ STEWART DALZELL, J.
Stewart Dalzell, J.