

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

MICHAEL SPIRO and	:	
DEBORAH SPIRO	:	
	:	CIVIL ACTION
Plaintiffs,	:	
	:	
v.	:	
	:	NO. 13-1561
ALLIED BUILDING PRODUCTS CORP.,	:	
PLY GEM HOLDINGS, INC.,	:	
PLY GEM INDUSTRIES, INC., and	:	
MW MANUFACTURERS, INC.	:	
	:	
Defendants.	:	

**ORDER**

**AND NOW**, this 17<sup>th</sup> day of September, 2013, upon consideration of the Motions by Defendants Ply Gem Holdings, Inc. and Ply Gem Industries, Inc. to Dismiss First Amended Complaint (Docket No. 33) and to Dismiss Cross-Claim (Docket No. 35), and Plaintiffs' Michael Spiro and Deborah Spiro's Consolidated Response (Docket No. 36), it is hereby **ORDERED** that the Motion to Dismiss First Amended Complaint is **DENIED** and the Motion to Dismiss Cross-Claim is **DENIED**.

It is so **ORDERED**.

BY THE COURT:

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