

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

FREDRICK CAPPS

Plaintiff.

v.

MONDELEZ GLOBAL LLC

Defendant.

CIVIL ACTION  
NO. 14-04331

**ORDER**

**AND NOW**, this 24th day of November, 2015, upon consideration of Fredrick Capps's ("Capps") Motion for Partial Summary Judgment (ECF No. 47) and Mondelez Global LLC's ("Mondelez") opposition (ECF No. 52), and Mondelez's Motion for Summary Judgment (ECF No. 34), Capps's opposition (ECF No. 57) and Mondelez's reply (ECF No. 58), it is **ORDERED** that:

1. Capps's Motion for Partial Summary Judgment is **DENIED**;
2. Mondelez's Motion for Summary Judgment is **GRANTED**;
3. Judgment is entered in favor of Mondelez and against Capps.

BY THE COURT:

/s/ Gerald J. Pappert  
GERALD J. PAPPERT, J.