

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

|                            |   |                |
|----------------------------|---|----------------|
| GOTHAM DISTRIBUTING CORP.  | : | CIVIL ACTION   |
|                            | : |                |
| v.                         | : |                |
|                            | : | NO. 14-CV-6165 |
| UNITED PARCEL SERVICE CO., | : |                |
| INC., ET AL.               | : |                |

**ORDER**

AND NOW, this 27th day of July, 2016, upon consideration of Defendants' Motions for Summary Judgment (Doc. Nos. 40, 41), Plaintiff's Omnibus Response in Opposition thereto (Doc. No. 46), Defendants' Replies in Further Support thereof (Doc. Nos. 49, 51), and Plaintiff's Sur-reply in Further Opposition thereto (Doc. No. 54), and for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED that the Defendants' Motions are DENIED.

BY THE COURT:

S/J. Curtis Joyner  
J. CURTIS JOYNER, J.