

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

**RAMI MIKHAIL ,
Plaintiff,**

CIVIL ACTION

v.

**AEROSEAL, LLC and SEQUENT, INC.,
Defendants.**

NO. 15-1505

ORDER

AND NOW, this 3rd day of May, 2016, upon consideration of Defendant Aeroseal, LLC's Motion for Summary Judgment As to All Claims in the Amended Complaint and as to the Third Count of the Counterclaim (ECF No. 49); Defendant Sequent, Inc.'s Motion for Summary Judgment and for Sanctions Against Plaintiff for Failure to Cooperate in Discovery (ECF No. 51); and Plaintiff Rami Mikhail's Motion for Summary Judgment as to His Wage Payment and Collection Law Claim As It Pertains to Unpaid Vacation (ECF No. 52); and the various responses in opposition to each motion, **IT IS HEREBY ORDERED** that:

(1) Aeroseal's motion is **GRANTED IN PART AND DENIED IN PART**:

- a. the motion with respect to Plaintiff's claims in Count I (Fair Labor Standards Act), Count IV (Misrepresentation/Fraud), and Count V (Unjust Enrichment) is **GRANTED** and **JUDGMENT IS ENTERED IN FAVOR** of Defendant Aeroseal on those Counts;
- b. the motion with respect to Plaintiff's claims in Count II (Pennsylvania's Wage Payment and Collection Law) and Count III (breach of contract) is **DENIED**;
- c. the motion with respect to Aeroseal's counterclaim for conversion is **GRANTED** and **JUDGMENT IS ENTERED** in favor of Defendant Aeroseal on those Counts;

(2) Sequent's motion is **DENIED**; and,

(3) Plaintiff's motion is **DENIED**.

BY THE COURT:

/S/WENDY BEETLESTONE, J.

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