

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

DAMON SHARON RUSH,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	NO. 15-1839
	:	
UNITED STATES OF AMERICA,	:	
AQUA AMERICA, INC. d/b/a	:	
AQUA PENNSYLVANIA, &	:	
AQUA PENNSYLVANIA, INC.,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 7th day of August, 2017, upon consideration of Plaintiff’s Complaint (Doc. 1), Plaintiff’s Amended Complaint (Doc. 20), Defendant Aqua America, Inc. d/b/a Aqua Pennsylvania’s and Aqua Pennsylvania, Inc.’s Motion for Summary Judgment (Doc. 55), Plaintiff’s Response to Aqua America, Inc. d/b/a Aqua Pennsylvania’s and Aqua Pennsylvania, Inc.’s Motion for Summary Judgment (Doc. 59), Defendant Aqua America, Inc. d/b/a Aqua Pennsylvania’s and Aqua Pennsylvania, Inc.’s Reply to the Response (Doc. 63), Defendant USA’s Response to Aqua America, Inc. d/b/a Aqua Pennsylvania’s and Aqua Pennsylvania, Inc.’s Motion for Summary Judgment (Doc. 64), Defendant USA’s Motion for Summary Judgment (Doc. 65), Defendant Aqua America, Inc. d/b/a Aqua Pennsylvania’s and Aqua Pennsylvania, Inc.’s Reply to the USA’s Response and Response to the USA’s Motion for Summary Judgment (Doc. 67), Plaintiff’s Response to the USA’s Motion for Summary Judgment (Doc. 70), Defendant USA’s Reply to Plaintiff’s Response (Doc. 72), and Plaintiff’s Reply to the USA’s Reply (Doc. 74), **IT IS HEREBY ORDERED AND DECREED** that Defendant Aqua America, Inc. d/b/a Aqua Pennsylvania’s and Aqua Pennsylvania, Inc.’s Motion

For Summary Judgment is **GRANTED** and Defendant USA's Motion for Summary Judgment is **DENIED**.¹

IT IS FURTHER ORDERED that all crossclaims by Defendant USA against Defendant Aqua America, Inc. d/b/a Aqua Pennsylvania and Aqua Pennsylvania, Inc. are **DISMISSED AS MOOT**.

BY THE COURT:

/s/ Petrese B. Tucker

Hon. Petrese B. Tucker, U.S.D.J.

¹ This Order accompanies the Court's Memorandum Opinion dated August 7, 2017.