

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

<b>ARNOLD MERCER</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>DIETZ &amp; WATSON, INC.</b>	:	<b>NO. 15-3928</b>

**ORDER**

**AND NOW**, this 19th day of November, 2015, upon consideration of the Defendant’s Motion to Dismiss Plaintiff’s Complaint (Document No. 6) and the plaintiff’s response, it is **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART**.

**IT IS FURTHER ORDERED** as follows:

1. To the extent the motion seeks to dismiss the claim for interference with the plaintiff’s rights under the Family Medical Leave Act, it is **GRANTED**.
2. The interference claim in count two of the Complaint is **DISMISSED**.
3. In all other respects, the motion is **DENIED**.

          /s/Timothy J. Savage            
TIMOTHY J. SAVAGE, J.