LONGBOTTOM et al v. HAYMAN Doc. 23

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

DOUGLAS LONGBOTTOM and RAMONA LONGBOTTOM,	:	CIVIL ACTION
Plaintiffs,	:	
v.	:	No. 17-3328
FELTON HAYMAN,	:	
Defendant.	:	

ORDER

AND NOW, this 13th day of August, 2018, upon consideration of the Motion for Summary Judgment filed by Plaintiffs, Douglas and Ramona Longbottom ("Plaintiffs") (Doc. No. 18), the Defense Brief in Opposition and the Motion in Opposition to Plaintiff's [sic] Motion for Summary Judgment filed by Defendant, Felton Hayman ("Defendant") (Doc. No. 19), and Defendant's Cross-Motion for Summary Judgment (Doc. 20), it is hereby **ORDERED** that:

1. Defendant's Cross-Motion for Summary Judgment is **GRANTED** because Plaintiffs have failed to assert their breach of contract claim, which is the sole claim in this action, within the applicable five-year statute of limitations. See 42 Pa. C.S. § 5526(2).
2. Plaintiffs' Motion for Summary Judgment is **DENIED**.
3. Defendant's Motion in Opposition to Plaintiff's [sic] Motion for Summary Judgment is **DENIED AS MOOT**.
4. The Clerk of Court shall mark this case as **CLOSED**.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE

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