

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

CHARLES THOMPSON,	:	
	:	CIVIL ACTION NO. 10-CV-2058
Plaintiff,	:	
vs.	:	
	:	
MED-MIZER, INC.	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 30th day of November, 2012, upon consideration of Defendant Med-Mizer, Inc.’s Motion for Summary Judgment (Dkt. No. 73) filed on October 15, 2012, Plaintiff Thompson’s Reply to Motion of Med-Mizer, Inc. for Summary Judgment (Dkt. No. 76) filed on November 2, 2012, Defendant Med-Mizer, Inc.’s Reply Brief to Plaintiff’s Reply to Med-Mizer’s Motion for Summary Judgment (Dkt. 82) filed on November 19, 2012; and for the reasons expressed in the foregoing Memorandum,

IT IS ORDERED that Defendant Med-Mizer, Inc.’s Motion for Summary Judgment is **GRANTED** with respect to Count II of Plaintiff’s Second Amended Complaint. In all other respects, Defendant Med-Mizer, Inc.’s Motion for Summary Judgment is **DENIED**.

BY THE COURT:

/s/ Henry S. Perkin
 HENRY S. PERKIN
 United States Magistrate Judge