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

FREDERICK P. FRY and : CIVIL ACTION

ELEANOR H. FRY, :

Plaintiffs

:

v. : NO. 12-4914

:

:

THE PHOENIX INSURANCE CO.,

Defendant :

## <u>ORDER</u>

**AND NOW**, this 19th day of September, 2014, upon consideration of the Motion for Summary Judgment of Defendant The Phoenix Insurance Company (Document # 13), and all responses and replies thereto, it is hereby **ORDERED** that the Motion is **GRANTED**.

Judgment on the merits is **ENTERED** in favor of Defendant The Phoenix Insurance Company and against Plaintiffs Frederick P. Fry and Eleanor H. Fry.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.