

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

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MARCELO CALLI,	:	
Plaintiff,	:	No. 5:14-cv-5292
v.	:	
	:	
ARC MAINTENANCE, INC., CRAIG D.	:	
COTURE, SCOTT LUTZ, and GARY LUTZ,	:	
Defendants.	:	

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**ORDER**

**NOW**, this 21<sup>st</sup> day of January, 2016, for the reasons set forth in the Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. Defendant's Motion for Summary Judgment, ECF No. 24, is **GRANTED in part** and **DENIED in part** as follows:

- A. The motion is denied as to Count I, alleging a violation of the overtime provisions of the FLSA;
- B. The motion is denied as moot as to Count II, alleging retaliation in violation of the FLSA, because this claim was previously dismissed;
- C. The motion is denied as to Count III, alleging a violation of the PMWA;
- D. The motion is granted as to Count IV, alleging a violation of the WPCL, and this count is dismissed; and
- E. The motion is granted as to Count V, alleging unjust enrichment, and this Count is dismissed.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.  
 JOSEPH F. LEESON, JR.  
 United States District Judge