

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

**CAROL ANN ZALESKI AND  
DAVID ZALESKI (h/w),  
Plaintiffs,**

v.

**MELT RESTAURANT, et al.,  
Defendants.**

:  
: **CIVIL ACTION**  
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: **No. 15-2551**  
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**ORDER**

**AND NOW**, this 31<sup>st</sup> day of May, 2016, upon consideration of the Defendant National Elevator Inspection Services, Inc.’s Motion to Dismiss Amended Complaint (Doc. No. 34), Defendant Otis Elevator Services’ Motion to Dismiss the Amended Complaint (Doc. No. 36), and any response thereto, it is hereby **ORDERED** that Defendant National Elevator Inspection Services Motion (Doc. No. 34) is **GRANTED** and all claims against Defendant National Elevator Inspection Services contained in the Amended Complaint are **DISMISSED with prejudice**.

**IT IS FURTHER ORDERED** that Defendant Otis Elevator Services’ Motion (Doc. No. 36) is **GRANTED IN PART and DENIED IN PART** as follows:

1. The Motion is **GRANTED** with regards to Counts Three, Four and Six of the Amended Complaint. These Count are **DISMISSED with prejudice** against Defendant Otis Elevator Services.

2. The Motion is **DENIED** with regards to Count Five of the Amended Complaint.

BY THE COURT:

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