

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

POLLACK RESEARCH & DESIGN, INC.,	:	
d/b/a READING CRANE &	:	
ENGINEERING COMPANY	:	CIVIL ACTION
	:	
v.	:	NO. 15-3693
	:	
DAVID ROUND COMPANY, INC.	:	

ORDER

AND NOW, this 27th day of February, 2017, upon consideration of the parties' cross-motions for summary judgment and all responses and replies thereto, it is **ORDERED** as follows:

1. Plaintiff's motion for summary judgment [Doc. 25] is treated as a motion for partial summary judgment.
2. Defendant's motion for summary judgment [Doc. 26] is treated as a motion for partial summary judgment.
3. Plaintiff's motion for partial summary judgment [Doc. 25] is GRANTED.
4. Defendant's motion for partial summary judgment [Doc. 26] is DENIED.
5. The Court rules, as a matter of law, that the contract between the parties that is the subject of this dispute is comprised of the plaintiff's May 20, 2014 Purchase Order (with attachments) and the Defendant's May 20, 2014 Order Acknowledgment.

BY THE COURT

**/s/ Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.**