

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

BEATRICE ELDRUP-SMITH,	:	CIVIL ACTION NO. 1:12-CV-1862
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
SEARS ROEBUCK AND CO.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 4th day of April, 2014, upon consideration of the motion (Doc. 17) pursuant to Federal Rule of Civil Procedure 56 filed by Sears Roebuck and Co. (“Sears”) seeking summary judgment as to all claims asserted by Beatrice Eldrup-Smith (“Eldrup-Smith”), Sears’ motion (Doc. 31) to strike Eldrup-Smith’s verification (Doc. 30-1) from the record, and the parties’ respective briefs in support of and opposition to both motions (Docs. 19, 23, 25, 30, 32, 33), and in accordance with the court’s memorandum of the same date, it is hereby ORDERED that:

1. Counts V and VI of Eldrup-Smith’s complaint (Doc. 1) are deemed WITHDRAWN. (See Doc. 21 ¶ 3).
2. Sears’ motion (Doc. 31) to strike Eldrup-Smith’s verification (Doc. 30-1) is GRANTED. The Clerk of Court is directed to STRIKE Eldrup-Smith’s verification (Doc. 30-1) from the record.
3. Sears’ motion (Doc. 17) for summary judgment is GRANTED in its entirety. Judgment is ENTERED in favor of Sears and against Eldrup-Smith on Counts I, II, III, IV, and VII of Eldrup-Smith’s complaint.

4. Sears' motions (Docs. 34, 37) *in limine* to exclude Eldrup-Smith's hearsay statements and calendars are DENIED as moot.
5. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania