

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

<b>DOUGLAS K. VOLKMANN,</b>	:	<b>CIVIL ACTION NO. 1:18-CV-781</b>
	:	
<b>Plaintiff</b>	:	<b>(Chief Judge Conner)</b>
	:	
v.	:	
	:	
<b>INTERTEK YORK – BUILDING</b>	:	
<b>PRODUCTS &amp; BUILDING</b>	:	
<b>SERVICES, d/b/a, a/k/a Architectural</b>	:	
<b>Testing, Inc., et al.,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 17th day of January, 2019, upon consideration of the motions (Docs. 7, 11) to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) or, alternatively, for a more definite statement under Rule 12(e) filed by defendants Hyster-Yale Group, Inc. (“Hyster”) and United Glass & Panel Systems, Inc. (“United Glass”), and for the reasons stated in the accompanying memorandum, it is hereby ORDERED that:

1. Hyster’s motion (Doc. 7) to dismiss or for a more definite statement is GRANTED in part and DENIED in part as follows:
  - a. The motion is GRANTED as to Count I. Count I against Hyster is DISMISSED.
  - b. The motion is DENIED in all other respects.

2. United Glass's motion (Doc. 11) to dismiss or for a more definite statement is DISMISSED as moot in light of Volkmann's voluntary dismissal, (see Doc. 46), of United Glass from the above-captioned case.

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