

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

PAULINE M. BAILEY,  
Administrator of the Estate of Wesley  
Sherwood, Jr.,  
  
Plaintiff

No. 3:13cv3006  
  
(Judge Munley)

v.

B.S. QUARRIES, INC.; DAMASCUS 535  
QUARRY AND STONE PRODUCTS, LLC.;  
TNT ONE LIMITED PARTNERSHIP; TNT  
SERVICES CORP.; LIPPMANN  
MILWAUKEE, INC.; LIPPMANN QUALITY  
USED EQUIPMENT; VIRA CORPORATION  
TIMOTHY SMITH; and/or THOMAS  
BOLLES,  
  
Defendants

.....

ORDER

**AND NOW**, to wit, this 31st day of March 2016, upon consideration of the parties' cross-motions for summary judgment (Docs. 105, 107, 109, 111, 116, 118), it is hereby **ORDERED**:

1. Plaintiff's motion is **GRANTED** to the extent that we will pierce the corporate veil and hold that B.S. Quarries and Damascus 535 are alter egos for Thomas Bolles and Timothy Smith. Defendants Bolles and Smith will remain as defendants in their individual capacities.
2. Plaintiff's motion is **GRANTED** to the extent that the B.S. Quarries Defendants are estopped from invoking employer immunity under

- Pennsylvania workers' compensation law;
3. Defendant TNT Services Corp.'s motion is **GRANTED**. TNT Services is dismissed from this case; and
  4. All remaining aspects of the parties' motions are **DENIED**.

**BY THE COURT:**

**s/ James M. Munley**  
**JUDGE JAMES M. MUNLEY**  
**United States District Court**