

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

| | | |
|------------------------------|---|------------------------|
| GEORGE CLARKE and TINA M. | : | Case No. 4:11-cv-02165 |
| CLARKE, | : | |
| | : | |
| Plaintiffs | : | |
| | : | (Judge Brann) |
| v. | : | |
| | : | |
| SABRE MANUFACTURING, LLC, | : | |
| JOMAR INVESTMENTS, INC. t/a | : | |
| NEW LIFE TRANSPORT PARTS | : | |
| CENTER, INC., and ADLER TANK | : | |
| RENTALS, LLC, | : | |
| | : | |
| Defendants | : | |
| | : | |
| v. | : | |
| | : | |
| TEAM SERVICES, LLC, KIMBER | : | |
| TYSON, and ABILITIES | : | |
| EDUCATION TECHNOLOGIES, | : | |
| INC., | : | |
| | : | |
| Third-party Defendants | : | |
| | : | |
| v. | : | |
| | : | |
| BERT KLAPEC, INC., | : | |
| | : | |
| Third-party Defendant. | : | |

ORDER

AND NOW, this 12th day of December, 2013, it is hereby ORDERED, in
accordance with the memorandum of this same date, that:

1. The motion to dismiss of defendant Team Services (ECF No. 47) is GRANTED IN PART AND DENIED IN PART. Count I of Sabre Manufacturing's third-party complaint (indemnification) is DISMISSED WITHOUT PREJUDICE.
2. The motion to dismiss of Abilities Education Technologies (ECF No. 60) is GRANTED IN PART AND DENIED IN PART. Count III of Sabre Manufacturing's third-party complaint (indemnification) is DISMISSED WITHOUT PREJUDICE.
3. The motion to dismiss of Bert Klapec (ECF No. 73) is DENIED AS MOOT.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge