

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

DAVID S. BOCSY and)
JAMES J. BOCSY,)
) **2:08-cv-1482**
Plaintiffs,)

v.)

COMMONWEALTH OF PENNSYLVANIA,)
COUNTY OF ALLEGHENY,)
REDEVELOPMENT AUTHORITY OF)
ALLEGHENY COUNTY; BOROUGH OF)
HOMESTEAD; MON VALLEY INITIATIVE,)
RICHARD A. RANII,)
MICHAEL A. DELLA VECCHIA,)
WILLIAM G. MERCHANT, S&A HOMES,)
DWANE YOUNGBLOOD, FRED LAGITITO,)
LLOYD A. WELLING, LAND AMERICA,)
JEFFREY SELBY, JANET NORKUS,)
CASSIE BRANDON, MIKE BLOTZAR, and)
GARY BODNER,)

Defendants.

ORDER OF COURT

AND NOW, this 9th day of January, 2009, upon consideration of the MOTION TO DISMISS PLAINTIFFS' COMPLAINT FILED ON BEHALF OF DEFENDANTS COUNTY OF ALLEGHENY, REDEVELOPMENT AUTHORITY OF ALLEGHENY COUNTY, RICHARD A. RANII, WILLIAM G. MERCHANT, JANET NORKUS, CASSIE BRANDON, AND MIKE BLOTZAR and Brief in Support (Document Nos. 14 and 15) and the Court's Text Order of November 13, 2008, which required a response to said Motion on or before December 2, 2008, and the Court's Order to Show Cause of December 17, 2008, which again instructed Plaintiffs to file a brief and response in opposition to the pending Motion to Dismiss and

extended the response date to on or before January 7, 2009, and with no response having been filed by Plaintiffs and with due consideration and deliberation of the factual and legal arguments advanced in the Brief in Support of Defendants' Motion to Dismiss, each of which the Court finds to have merit and are specifically un rebutted by Plaintiffs,

NOW THEREFORE, the Motion to Dismiss filed by Defendants County of Allegheny, Redevelopment Authority of Allegheny County, Richard A. Ranii, William G. Merchant, Janet Norkus, Cassie Brandon and Mike Blotzar's Motion to Dismiss is **GRANTED** in its entirety and the County of Allegheny, Redevelopment Authority of Allegheny County, Richard A. Ranii, William G. Merchant, Janet Norkus, Cassie Brandon and Mike Blotzar are dismissed without prejudice.

So **ORDERED** this 9th day of January, 2009.

BY THE COURT:

s/ Terrence F. McVerry
United States District Court Judge

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