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

RUDOLPH A. KARLO et al.,	)	
Plaintiffs,	)	
vs.	)	Civil Action No. 10 – 1283
PITTSBURGH GLASS WORKS, LLC,	)	Judge Nora Barry Fischer
Defendant.	)	
	)	
	)	

## <u>ORDER</u>

AND NOW this 8th day of February, 2011, upon consideration of the parties' oral argument on Defendant's motion to dismiss Count III of Plaintiffs' complaint [9], IT IS HEREBY ORDERED that Defendant's motion to dismiss is DENIED, without prejudice. Plaintiffs shall file an amended complaint on or before **February 15, 2011 at 5:00 p.m.**Defendant shall file its response on or before **March 1, 2011 at 5:00 p.m.** 

<u>s/Nora Barry Fischer</u>Nora Barry FischerUnited States District Judge

cc/ecf: All counsel of record.