

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

MARLEY INDUSTRIES CORPORATION,)
 a New Jersey corporation,)
)
 Plaintiff,)
)
 v.)
)
 U.S. ENVIRONMENTAL PROTECTION)
 AGENCY, REGION III,)
 EDWIN B. ERICKSON, in his)
 capacity as Regional Administrator)
 Region III, U.S. Environmental)
 Protection Agency,)
)
 Defendants.)

CIVIL ACTION NO. 92-334E

ORDER

AND NOW, to-wit, this 11th day of September, 1995, for the reasons set forth above, it is hereby ORDERED, ADJUDGED, and DECREED that the cross-motion for summary judgment filed by plaintiff (Doc. 18) be and hereby is GRANTED and the motion filed by defendants (Doc. 11) be and hereby is DENIED.

IT IS FURTHER ORDERED that defendants' two motions to substitute the real party in interest (Docs. 22 and 34) be and hereby are DENIED as moot.

IT IS FURTHER ORDERED that plaintiff's Motion for Leave to File Supplemental Memorandum in Support of Motion for Summary Judgment (Doc. 43) be and hereby is DENIED as moot.

Maurice B. Cohill, Jr.
 Maurice B. Cohill, Jr.
 District Judge

cc: Richard A. Lanzillo, Esq.
Knox, McLaughlin, Gornall & Sennett
120 West Tenth Street
Erie, PA 16501

Marley Industries Corporation
a New Jersey corporation, Pro Se
Marley Industries Corporation
499 North Broadway, 6G
White Plains, NY 10603-3242

Paul E. Skirtich
Asst. United States Attorney
633 U.S. Courthouse
Pittsburgh, PA 15219

Monica A. Schwabs
U.S. Department of Justice
Environmental & Natural Res. Div.
Environmental Defense Section
P.O. Box 23986
Washington, D.C. 20026

James H. Curtin
Environmental Protection Agency
Office of General Counsel
401 M Street, S.W.
Mailing Code 233R
Washington, D.C. 20460

Douglas J. Snyder
Assistant Regional Counsel
Environmental Protection Agency
Region III
841 Chestnut Building
Philadelphia, PA 19107