IN THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY

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) C.A. No.: CPU4-17-002862
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Brian J. Ferry 824 Market Street, Suite 1000 P.O. Box 1351 Wilmington, DE 19899 Attorney for Defendant

ORDER

AND NOW, this 12th day of December, 2018, after considering Defendant's Motion to Dismiss, IT IS HEREBY ORDERED that the Motion is **GRANTED** and the case is *dismissed* with prejudice.

FURTHER, IT IS HEREBY ORDERED that Plaintiff's Motion to Reconsider is **DENIED** with prejudice. As noted on the record, Plaintiff filed a Motion to Reconsider but has consistently failed to appear and prosecute said motion. As a result, Defendant's previous Motion to Dismiss had been granted on May 25, 2018 and September 28, 2018. Again, Plaintiff received Notice of today's hearing but failed to appear and prosecute the Motion to Reconsider. Hence, Defendant's third Motion to Dismiss, which was also noticed for today, is granted. The supplemental Notice for Friday, December 14, 2018, for the same Motions are rescinded as the matter is now moot.

IT IS SO ORDERED.

John K. Welch,
Judge

cc: Ms. Pat Thomas, CCP Civil Case Manager