

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

DWAYNE IRVING : CIVIL ACTION
 :
 v. :
 :
 PROGRESSIVE SPECIALITY :
 INSURANCE COMPANY : NO. 11-7594

ORDER

AND NOW, this 16th day of July, 2012, following the Plaintiff's Motion for Summary Judgment (Docket No. 9) and the Defendant's Motion for Summary Judgment (Docket No. 11), IT IS HEREBY ORDERED, for the reasons stated in the memorandum of law bearing today's date, that the plaintiff's motion is DENIED and defendant's motion is GRANTED. Judgment is hereby ENTERED in favor of the above-named defendant and against the plaintiff. The defendant is entitled to a credit of \$315,000 regarding the plaintiff's underinsured motorist benefits claim for the September 15, 2007 accident. This case is closed.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.