

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

UNITED STATES OF AMERICA

Plaintiff,

v.

GERARD JOYCE, KATIE JOYCE,  
DANIEL JOYCE, NORMANDY  
HOLDINGS, LLC, LOFTS AT MILL, LP,  
and LOFTS GP, LLC,

Defendants.

NO. 3:08-CV-1189

(JUDGE CAPUTO)

**MEMORANDUM ORDER**

Presently before the Court is the Motion for Summary Judgment as to Liability of the Plaintiff, the United States. (Doc. 23.) Plaintiff's Motion is only on liability and reserves the issue of appropriate remedies for trial. On November 12, 2009, this Court received a letter from Defendants' counsel that they would not oppose Plaintiff's motion for summary judgment, but would not concede "the amount, appropriateness or proportionality of any remedy, including but not limited to monetary damages, civil penalties or injunctive relief." (Doc. 26.) As such, Plaintiff's Motion for Summary Judgment as to Liability is treated as unopposed and will be granted on the issue of liability.

NOW, this 13<sup>th</sup> day of November, 2009, IT IS HEREBY ORDERED THAT Plaintiff's Motion for Summary Judgment as to Liability is **GRANTED**.



A. Richard Caputo  
United States District Judge