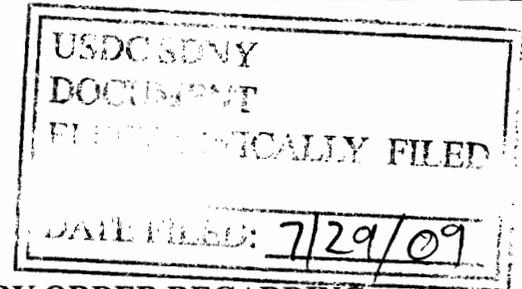


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- x
IN RE WORLD TRADE CENTER :
DISASTER SITE LITIGATION :

SUMMARY ORDER REGARDING
PARTIAL MOTIONS TO DISMISS
UNIFORM WORKERS' LABOR
LAW AND GENERAL
MUNICIPAL LAW CLAIMS

:
: 21 MC 100 (AKH)
: x

----- x
ALVIN K. HELLERSTEIN, U.S.D.J.:

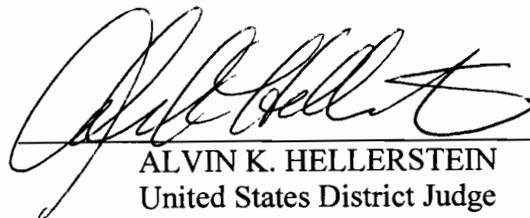
The parties appeared before me on July 28, 2009 for oral argument on four motions for partial summary judgment brought by Bovis Lend Lease LMB, Inc., AMEC Construction Management, Inc., AMEC Earth and Environmental, Inc., Plaza Construction Corp., Tully Construction Co., Inc., and Turner Construction Company (collectively, "the WTC prime contractors"), a large group of construction companies (collectively, "the WTC subcontractors"), Tishman Construction Corporation of Manhattan, Tishman Construction Corporation of New York, Tishman Interiors Corporation, and New York City. The motions seek judgment, under Federal Rule of Civil Procedure 56(c), against plaintiffs who worked as police officers with the New York Police Department or firefighters with the Fire Department of New York, as to their claims under New York Labor Law § 200 and § 241(6) and New York General Municipal Law § 205-a and § 205-e.

For the reasons stated on the record, I construe the motions as motions to dismiss under Federal Rule of Civil Procedure 12(b)(6) and deny the motions.

The Clerk shall terminate motions Nos. 1140, 1149, 1175, and 1204.

SO ORDERED.

Dated: July 29, 2009
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge