

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

EUFROSINA DIACONU ET AL.,

PLAINTIFFS,

v.

DEFENSE LOGISTICS ET AL.,

DEFENDANTS

CIVIL ACTION

No. 98-6533

**MEMORANDUM/ORDER**

April 16, 2007

Currently before the court is plaintiff Eufrosina Diaconu's Fourth Motion for Change in Venue. Docket # 58. This motion, like Diaconu's three previous motions for change in venue, seeks the transfer of *Diaconu v. Defense Logistics*, No. 98-cv-6533, from United States District Court for the Eastern District of Pennsylvania to the United States District Court for the District of Columbia. Docket # 51, 53, 55 (previous motions for change in venue).

In an order filed on March 27, 2007 (Docket # 56), I determined that only plaintiff Dorothy Butler's claim is still before this court, Diaconu's claims having being properly dismissed in a memorandum and order filed on January 8, 2007 (Docket # 47). I further determined that Diaconu cannot reopen her part of Civil Action No. 98-6533 for purposes

of changing venue or otherwise. Docket # 56 at 6-7. Finally, I concluded that Pennsylvania law authorized Diaconu to file a new tort action against defendants on the basis of the cancer that she was allegedly diagnosed with in 2006. *Id.* at 7-9. I reiterated these conclusions in an order filed on March 30, 2007, wherein I dismissed Diaconu's first, second, and third motions for change in venue as moot. Docket # 57.

Diaconu would be best served to pursue her remedies through means other than the filing of further motions for changes of venue. This court can do nothing more for her with regard to Civil Action No. 98-6533. Accordingly, it is hereby **ORDERED** that Diaconu's Fourth Motion for Change in Venue (Docket # 58) is **DISMISSED** as **MOOT**.

BY THE COURT:

/s/ Louis H. Pollak  
Pollak, J.