

discovery. Under Third Circuit law:

In any action the plaintiff bears the burden of demonstrating contacts with the forum state sufficient to give the court in personam jurisdiction. Where the plaintiff's claim is not clearly frivolous, the district court should ordinarily allow discovery on jurisdiction in order to aid the plaintiff in discharging that burden.

Compagnie Des Bauxites de Guinee v. L'Union Atlantique S.A. D'Assurances, 723 F.2d 357,

362 (3d Cir. 1983). Plaintiffs' claims against the Estate are not clearly frivolous. Plaintiffs point to the March 18, 1993 Memorandum Opinion and Order issued by Hon. Kimba M. Woods, U.S.D.J., which in and of itself supports the inference that the claims against the Estate are not clearly frivolous. Plaintiffs will be granted 60 days to conduct discovery on personal jurisdiction over the Estate. The motion to dismiss the SAC for lack of personal jurisdiction will be denied without prejudice, and may be renewed at the completion of this discovery period.

For these reasons,

IT IS on this 9th day of December, 2014

ORDERED that Defendant's motion to dismiss the Second Amended Complaint for lack of personal jurisdiction and insufficient service of process (Docket Entry No. 95) is **DENIED** without prejudice; and it is further

ORDERED that Plaintiff has 60 days from the date of entry of this Order to conduct jurisdictional discovery on its claims against the Estate; and it is further

ORDERED that Plaintiff has 30 days from the date of entry of this Order to properly serve the Estate.

s/Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge