REGIONAL PRODUCE COOPERATIVE CORPORATION v. TD BANK, N.A. Doc. 99

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

REGIONAL PRODUCE COOPERATIVE CORPORATION,	:	**CIVIL ACTION**
Plaintiff,	:	
v.	:	**NO. 19-1883**
TD BANK, N.A.	:	
Defendant.	:	

ORDER

AND NOW, this 12th day of December, 2022 upon consideration of Defendant TD Bank, N.A.'s Motion for Summary Judgment (Doc. Nos. 83 and 85), Plaintiff Regional Produce Cooperative Corporation's Response (Doc. No. 88), and Defendant's Reply (Doc. No. 94), it is hereby **ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Defendant's Motion for Summary Judgment as to Plaintiff's negligence claim under Pennsylvania's Uniform Commercial Code is **DENIED** with respect to the disputed banking transactions from August 16, 2017 forward, as set forth in the accompanying Memorandum Opinion.

2. In all other respects, Defendant's Motion for Summary Judgment is **GRANTED**.

It is **FURTHER ORDERED** that Defendant's Motions to Seal exhibits or portions of their Memoranda (Doc. Nos. 84 and 95) are **GRANTED**.

BY THE COURT:

/s/ Mitchell S. Goldberg
MITCHELL S. GOLDBERG, J.

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