## IN THE SUPERIOR COURT OF THE STATE OF DELAWARE IN AND FOR KENT COUNTY

WELLS FARGO BANK, NA, :

C.A. No: K15C-03-003 RBY

Plaintiff, :

:

v. :

•

EARL STRONG,

:

Defendant. :

Submitted: October 28, 2015 Decided: November 6, 2015

## Upon Consideration of Plaintiff's Motion for Reargument GRANTED

## **ORDER**

Daniel T. Conway, Esquire, Atlantic Law Group, LLC, Georgetown, Delaware for Plaintiff.

Earl Strong, pro se.

Young, J.

Wells Fargo Bank, NA v. Strong

C.A. No.: K15C-03-003 RBY

*November* 6, 2015

## **DECISION**

\_\_\_\_\_Plaintiff's Motion for Reargument on the issue of whether or not the statute of limitations has, in fact, run is **GRANTED**.

From the prior argument, my understanding was that, unless Defendant had warned the statute, the parties conceded that Plaintiff's claim was time barred. Evidently, that understanding was mistaken.

Hence, the matter will be scheduled for additional argument on that single issue.

This does not affect the Court's ruling as to paragraphs 1, 1a, 1b and 1c, holding that Defendant did not waive the statutory affirmative defense.

Plaintiff may present argument upon the Section 8109 commencement of the statutory filing period and its application.

Accordingly, to the extent described, Plaintiff's Motion is **GRANTED**. A hearing pursuant to this Order will be scheduled for November 18, 2015 at 10:00 a.m.

IT IS SO ORDERED.

/s/ Robert B.	Young	
J.	<b>O</b>	

RBY/lmc

oc: Prothonotary

cc: Counsel Earl Strong

**Opinion Distribution** 

File