

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

DANIEL RIVERA, STEPHEN KENSINGER,  
DEBORAH JOY MEACOCK, and REBECCA  
SCHEUNEMAN,

Plaintiffs,

v.

ALLSTATE INSURANCE COMPANY,

Defendant.

Case No. 10 cv 1733

Hon. Judge William T. Hart

**DEFENDANT’S MOTION FOR JUDGMENT AS A MATTER OF LAW**

Defendant Allstate Insurance Company (“Allstate”), by its attorneys, Seyfarth Shaw LLP, hereby files its Motion for Judgment as a Matter of Law as follows:

Pursuant to Fed. R. Civ. P. 50(a)(1), Allstate moves for an order entering judgment as a matter of law in favor of Allstate and dismissing Plaintiffs’ defamation and FCRA claims with prejudice. If Allstate’s motion is not granted with respect to Plaintiffs’ FCRA claims, Allstate moves for an order dismissing Plaintiffs’ claims for “willful” violations of the FCRA. In support of this Motion, Allstate has contemporaneously filed its supporting Memorandum of Law.

WHEREFORE, Allstate respectfully requests that this Court grant its Motion for Judgment as a Matter of Law and dismiss with prejudice the claims of Plaintiffs Daniel Rivera, Stephen Kensinger, Deborah Joy Meacock and Rebecca Scheuneman.

Respectfully submitted,

Allstate Insurance Company

DATED: June 19, 2016

By: /s/John W. Drury  
One of Its Attorneys

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**CERTIFICATE OF SERVICE**

I, John W. Drury, an attorney, do hereby certify that I have caused a true and correct copy of the foregoing DEFENDANT'S MOTION FOR JUDGMENT AS A MATTER OF LAW to be served upon the following, by CM/ECF System, on this 19th day of June, 2016:

Robert D. Sweeney  
RDS Law  
111 West Washington Street  
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/s/ John W. Drury