

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

ABDUL G. BURIDI

PLAINTIFF

v.

NO. 3:12-CV-00486-S

BRANCH BANKING AND TRUST
COMPANY

DEFENDANT

ORDER

For the reasons set forth in the Memorandum Opinion entered this date and the court being otherwise sufficiently advised, **IT IS HEREBY ORDERED AND ADJUDGED** that the motion of the Defendant, Branch Banking and Trust Co. (“BB&T”), to dismiss the Plaintiff’s claims under Fed. R. Civ. P. 12(b)(6) (DN 6) is **GRANTED IN PART AND DENIED IN PART**.

- (1) BB&T’s motion to dismiss is **GRANTED** with regard to the Plaintiff’s claims for fraud by affirmative representation; fraud by omission; negligent representation; and the tort cause of action for breach of the implied covenant of good faith and fair dealing.
- (2) BB&T’s motion to dismiss the Plaintiff’s contractual cause of action for breach of the implied covenant of good faith and fair dealing is **DENIED**.

IT IS SO ORDERED.

March 22, 2013

A handwritten signature in black ink, appearing to read 'Charles R. Simpson III', is written over a faint circular seal of the United States District Court for the Western District of Kentucky.

**Charles R. Simpson III, Senior Judge
United States District Court**