## UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

JPMORGAN CHASE BANK, N.A.,

Plaintiff, :

Civil Action No. 10-06141 (SRC)

v.

ORDER

REPUBLIC MORTGAGE INSURANCE COMPANY,

Defendant.:

## CHESLER, District Judge

This matter having come before the Court upon Defendant Republic Mortgage Insurance Company's ("RMIC") motion to dismiss Plaintiff JP Morgan Chase Bank, N.A.'a ("Chase") Amended Complaint [docket entry 12]; and Chase having opposed the motion; and Chase having filed a cross-motion for partial summary judgment [docket entry 20]; and RMIC having opposed Chase's cross-motion; and the Court having opted to rule based on those submissions, and without oral argument, pursuant to Federal Rule of Civil Procedure 78; and for the reasons expressed in the Opinion filed herewith; and good cause shown,

**IT IS** on this 4<sup>th</sup> day of May, 2011,

**ORDERED** that Defendant's motion to dismiss [docket entry 12] be and hereby is **GRANTED**; and it is further;

**ORDERED** that Plaintiff is granted leave to file a further Amended Complaint regarding its breach of contract claim, breach of fiduciary duty claim, and bad faith insurance practices

claim; and it is further,

**ORDERED** that Plaintiff's cross-motion for partial summary judgment [docket entry 20] be and hereby is **DENIED**.

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