

in this matter. The Order in Barnard, therefore, is incorporated herein, and the current motion will be disposed of in accord therewith.

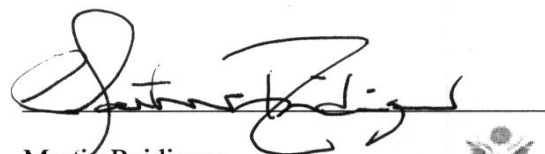
As the Plaintiff has taken a voluntary dismissal of their action against Defendant April Kisselburg Davis, the motion to dismiss will be denied as moot with respect to that Defendant.

ORDER

IT IS, THEREFORE ORDERED that the Motion to Dismiss [Doc. 7] is **GRANTED IN PART** and **DENIED IN PART**. Specifically, with respect to the Plaintiff's claim against SunTrust Bank for negligent misrepresentation, the Motion to Dismiss [Doc. 7] is **GRANTED** and this claim is **DISMISSED**. In all other respects, the Motion to Dismiss [Doc. 7] is **DENIED**.

IT IS SO ORDERED.

Signed: September 30, 2013


Martin Reidinger
United States District Judge

