IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MITCH'S AUTO SERVICE	:	CIVIL ACTION
CENTER, Inc., et al.,	:	NO. 10-3413
	:	
Plaintiffs,	:	
	:	
V •	:	
	:	
STATE AUTOMOBILE MUTUAL	:	
INSURANCE COMPANY,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 24th day of October, 2011, it is hereby ORDERED that Defendant's motion for summary judgment (doc. no.

20) is **GRANTED in part and DENIED in part** as follows:

- Defendant's motion is **DENIED** as to Plaintiffs'
 Count One claim for breach of contract;
- Defendant's motion is **GRANTED** as to Plaintiffs'
 Count Three statutory bad faith claim;

It is hereby further **ORDERED** that Plaintiffs' motion

for leave to file a response brief (doc. no. 23) is **GRANTED**.¹

AND IT IS SO ORDERED.

S/Eduardo C. Robreno EDUARDO C. ROBRENO, J.

¹ The Court considered the substance of Plaintiffs' response brief in the disposition of Defendant's motion for summary judgment.