ELEY et al v. STATE FARM INSURANCE COMPANY Doc. 16

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

TANYA ELEY and ALBERT ELEY, H/W	:	
v.	:	No. 10-cv-5564
STATE FARM INSURANCE COMPANY	:	

ORDER

AND NOW, this 31 day of January, 2010, for the reasons stated in the foregoing Memorandum, it is hereby ORDERED as follows: Defendant's Motion Pursuant to Rule 12(B)(6) to Dismiss Count II of Plaintiffs' Complaint (ECF No. 5) is hereby GRANTED without prejudice.

BY THE COURT:

/s Michael M. Baylson

MICHAEL M. BAYLSON, U.S.D.J

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