

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

KEESHA GOODE and VICTORIA GOODMAN, on Behalf of Themselves and Others Similarly Situated,	:	CIVIL ACTION
	:	
Plaintiffs,	:	
	:	NO. 2:11-cv-2950-JD
v.	:	
	:	
LEXISNEXIS RISK & INFORMATION ANALYTICS GROUP, INC.,	:	
	:	
Defendant.	:	
	:	

ORDER

AND NOW, this 22nd day of March, 2012, upon consideration of Defendant’s Motion to Dismiss (Document No. 9, filed July 25, 2011), Plaintiffs’ Brief in Opposition to Defendant’s Motion to Dismiss (Document No. 13, filed August 19, 2011), Reply Brief in Further support of Defendant LexisNexis Risk Solutions Inc.’s Motion to Dismiss (Document No. 14, filed August 29, 2011), Defendant LexisNexis Risk Solutions Inc.’s Notice of Supplemental Authority in support of Motion to Dismiss (Document No. 16, filed March 8, 2012), and Plaintiffs’ Response to Defendant’s Notice of Supplemental Authority and Plaintiff’s Cross-Notice of Supplemental Authority (Document No. 17, filed March 14, 2012), for the reasons set forth in the Memorandum dated March 22, 2012, **IT IS ORDERED** that Defendant’s Motion to Dismiss is **GRANTED IN PART AND DENIED IN PART** as follows:

1. That part of Defendant's Motion to Dismiss that seeks dismissal of Count I of the Complaint is **DENIED**. However, recovery under Count I is **LIMITED** to actual damages, costs, and attorney's fees under 15 U.S.C. § 1681o(a).

2. That part of Defendant's Motion to Dismiss that seeks dismissal of the allegations of a willful violation of 15 U.S.C. § 1681b(b)(3)(A) in Count II of the Complaint is **DENIED**.

IT IS FURTHER ORDERED that the Court will conduct a telephone conference to schedule further proceedings in due course.

BY THE COURT:

/s/ Hon. Jan E. DuBois
JAN E. DUBOIS, J.