

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

GERMAN YAKUBOV,
Plaintiff,

v.

GEICO GENERAL INSURANCE CO.,
Defendant.

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CIVIL ACTION

NO. 11-3082

ORDER

AND NOW, this 24th day of October 2011, upon consideration of Defendant's Motion to Dismiss Claims for Punitive Damages and Misrepresentation from the Amended Complaint and Plaintiff's response thereto, and for the reasons provided in the accompanying Opinion filed this day, it is hereby **ORDERED** that the Motion (Doc. No. 7) is **GRANTED in part and DENIED in part** as follows:

1. Defendant's motion to dismiss the misrepresentation claim is **GRANTED**. The misrepresentation claim in Count V is **DISMISSED**; and
2. Defendant's motion to dismiss the claim for punitive damages contained in Count III is **DENIED without prejudice**.

It is so **ORDERED**.

BY THE COURT:

/s/ **Hon. Cynthia M. Rufe**

HON. CYNTHIA M. RUFÉ