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

GAYLE TERRELL,

Plaintiff,

v.

CIVIL ACTION NO. 13-5074

DAVOL, INC., et al.,

Defendants.

<u>ORDER</u>

AND NOW, this 30th day of July 2014, upon consideration of the Second Amended

Complaint (Doc. Nos. 17, 19), Defendants' Motion to Dismiss (Doc. No. 20), Plaintiff's

Response in Opposition (Doc. Nos. 21, 22), and Defendants' Reply (Doc. No. 23), and in

accordance with the Opinion of the Court issued this day, it is **ORDERED** as follows:

- Defendants' Motion to Dismiss (Doc. No. 20) is GRANTED IN PART AND DENIED IN PART. Counts I and II of the Second Amended Complaint are DISMISSED.
- Defendants shall file an Answer to the Second Amended Complaint as to Counts III and IV by August 13, 2014.

BY THE COURT:

<u>/s/ Joel H. Slomsky</u> JOEL H. SLOMSKY, J.