

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

**SEENA MOSS and CHASE PARKER,
Plaintiffs,**

CIVIL ACTION

v.

**AARON'S, INC.,
Defendant.**

NO. 14-3753

ORDER

AND NOW, this 5th day of May, 2015, upon consideration of Plaintiffs' Motion to Dismiss Defendant's Counterclaims Pursuant to Rule 12(b)(6) (ECF No. 38), the briefing thereon and the opposition thereto, it is **ORDERED** that:

Plaintiffs' Motion is **DENIED** as to counterclaims one (breach of contract), two (conversion) and four (unjust enrichment);

As to counterclaim three (fraud), the Motion is **GRANTED IN PART AND DENIED IN PART**. The Motion is **DENIED** to the extent the counterclaim alleges fraud against Plaintiffs with respect to the specific pieces of electronic equipment the counterclaim alleges that they fraudulently acquired. The Motion is **GRANTED** to the extent the counterclaim alleges fraud against other persons with respect to other pieces of equipment and such claims are **DISMISSED WITHOUT PREJUDICE**.

BY THE COURT:

/S/WENDY BEETLESTONE

WENDY BEETLESTONE, J.