

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

ASSURITY LIFE INSURANCE	:	CIVIL ACTION
COMPANY,	:	
	:	No. 14-6522
Plaintiff,	:	
	:	
v.	:	
	:	
JOHN NICHOLAS, EXECUTOR OF	:	
THE ESTATE OF SALLY NICHOLAS	:	
AND RITA THOMPSON,	:	
	:	
Defendants.	:	

**ORDER**

AND NOW, this 1<sup>st</sup> day of October, 2015, upon consideration of Plaintiff Assurity Life Insurance Company’s Motion to Dismiss Defendant John Nicholas’ Counterclaims (Doc. No. 7) and the parties briefs in support thereof and in opposition thereto, and after oral argument, it is **HEREBY ORDERED** that Plaintiff’s Motion is **GRANTED IN PART AND DENIED IN PART** as follows:

The Motion is **GRANTED** as to Counts II, III, IV, V, VI and VII of Defendant’s Counterclaims and those counts are **DISMISSED WITH PREJUDICE**; and

The Motion is **DENIED** as to Counts I and VIII of Defendant’s Counterclaims

BY THE COURT:

/s/ Marilyn Heffley  
MARILYN HEFFLEY  
UNITED STATES MAGISTRATE JUDGE