

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

WILLIAM O. FLICK, JR.,

Plaintiff,

v.

CHARTWELL ADVISORY GROUP LTD.
et al.,

Defendants.

CIVIL ACTION
NO. 14-06953

ORDER

AND NOW, this 2nd day of July, 2015, upon consideration of Defendants Chartwell Advisory Group LTD., Lawrence Kent, Maurice Kent, and Lawrence Palmer's Motion to Dismiss, (ECF No. 7), Plaintiff's opposition, (ECF No. 11), Defendants' Reply (ECF No. 12), and Plaintiff's Sur-Reply (ECF No. 16), it is **ORDERED** that the Motion to Dismiss is **GRANTED**. It is further **ORDERED** that:

1. Counts I-IV of the complaint are **dismissed without prejudice**.
2. Defendant Stephen Deviney's ERISA cross-claims in Counts I and II are **dismissed without prejudice**.
3. Counts V-XII of the complaint, Deviney's counterclaim Counts I and II, Deviney's cross-claim Counts III and IV, and Chartwell Advisory Group LTD, Lawrence Kent, Maurice Kent, and Lawrence Palmer's cross-claim Counts I-II are **dismissed for lack of subject matter jurisdiction**.
4. Plaintiff may file an amended complaint on or before July 16, 2015.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.