

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

**HARVEY KALAN, M.D., THE HARVEY
KALAN, M.D., INC. EMPLOYEE
WELFARE BENEFIT PLAN, PAMELA K.
ERDMAN, M.D., THE DE. PAMELA K.
ERDMAN, M.D., INC. EMPLOYEE
WELFARE BENEFIT PLAN, GRETCHEN
CASTELLANO, DR. MARTIN ZENNI,
DR. ELISSA ZENNI and THE M&E
ZENNI INC., WELFARE BENEFIT PLAN,
Plaintiffs,**

CIVIL ACTION

NO. 15-1435

v.

**FARMERS & MERCHANTS TRUST
COMPANY OF CHAMBERSBURG,
LAWRENCE KORESKO, KORESKO
FINANCIAL, LLP, FREEDOM
BROKERS, LLC, PENNMONT
BENEFITS, INC., DEON DANIEL,
LINCOLN NATIONAL CORPORATION,
SAMUELS, YOELIN KANTOR, LLP,
JEFFREY NIEMAN, LOCKE LORD
BISSELL & LIDDELL, LLP, ANDERSON
KILL & OLICK, P.C., CHAPLIN &
DRYSDALE, GATES HALBRUNER &
HATCH, CHRISTIE PARABUE MORTEN
& YOUNG, JEFFERSON GOVERNMENT
RELATIONS, THEODORE HOBSON,
BONNIE KORESKO and JOHN DOE
COMPANIES 1-50,**

Defendants.

ORDER

AND NOW, this 3rd day of December, 2015, upon consideration of Defendant Samuels, Yoelin Kantor, LLP (“SYK”) Motion to Dismiss the Complaint [ECF No. 37]; and the Plaintiffs’ Response in Opposition thereto [ECF No. 45]; **IT IS ORDERED** that:

1. Defendant SYK’s Motion to Dismiss for lack of personal jurisdiction is **DENIED**.
2. Defendant SYK’s Motion to Sever is **DENIED**.

3. Defendant SYK's Motion to Dismiss Plaintiff's Complaint for failure to state a claim is **DENIED** as to Count VII.
4. Defendant SYK's Motion to Dismiss Plaintiff's Complaint for failure to state a claim is **GRANTED** as to Counts III and IV.

BY THE COURT:

/s/ Wendy Beetlestone

WENDY BEETLESTONE, J.