

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

DAVID BROEDERDORF	:	CIVIL ACTION
	:	
v.	:	
	:	
ROBERT BACHELER	:	NO. 15-2117

ORDER

AND NOW, this 14th day of September, 2015, upon consideration of defendant Robert Bachelier's motion to dismiss (docket entry #3) and memorandum in support thereof, and plaintiff David Broederdorf's response in opposition thereto, and for the reasons stated in the accompanying Memorandum, it is hereby ORDERED that:

1. Defendant's motion to dismiss is GRANTED IN PART AND DENIED IN PART;
2. Defendant's motion to dismiss is GRANTED in regards to plaintiff's equitable estoppel claim;
3. Plaintiff's equitable estoppel claim is DISMISSED WITHOUT PREJUDICE;
4. Defendant's motion to dismiss is DENIED in regards to plaintiff's breach of contract, breach of contract-third party beneficiary, breach of implied covenant of good faith and fair dealing, breach of fiduciary duty, conversion, fraud in the inducement, and unjust enrichment claims;
5. Plaintiff is GRANTED LEAVE TO AMEND his complaint by no later than noon on September 21, 2015 if he can do so conformably with Fed. R. Civ. P. 11; and

6. Defendant Robert Bacheler shall ANSWER or appropriately RESPOND to plaintiff's amended complaint no later than fourteen days after being served with the amended complaint.

BY THE COURT:

/s/ Stewart Dalzell, J.  
Stewart Dalzell, J.