

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

<b>DEVON DRIVE LIONVILLE, LP, et al.,</b>	:	
	:	<b>CIVIL ACTION</b>
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	
	:	<b>NO. 15-3435</b>
<b>PARKE BANCORP, INC., et al.,</b>	:	
	:	
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this 27<sup>th</sup> day of November, 2017, upon consideration of (1) Defendants’ Motion to Take Judicial Notice (Doc. No. 44), Plaintiffs’ Response (Doc. No. 48), and all of the parties’ arguments incorporated by reference from their previous briefing on issues of judicial notice; and (2) Defendants’ Motion to Dismiss the Amended Complaint (Doc. No. 43), Plaintiffs’ Response (Doc. No. 47), and all of the parties’ arguments incorporated by reference from their briefing on Defendants’ Motion to Dismiss the original Complaint, it is **ORDERED** that:

1. Defendants’ Motion to Take Judicial Notice is **GRANTED**.
2. Defendants’ Motion to Dismiss the Amended Complaint is **GRANTED IN PART** and **DENIED IN PART** as follows:
  - a. The Motion to Dismiss the federal and state law claims of Plaintiffs North Charlotte Road Pottstown, LP, Main Street Peckville, LP, Rhoads Avenue Newtown Square, LP, and John M. Shea is **GRANTED** and these claims are **DISMISSED WITH PREJUDICE**;

- b. The Motion to Dismiss the federal and state law claims of Plaintiffs Devon Drive Lionville, LP and George Spaeder is **DENIED**; and
- c. Within thirty (30) days from the date of this Order, the remaining Plaintiffs Devon Drive Lionville, LP and George Spaeder shall either file a second amended complaint consistent with the Court's Memorandum and Order or give notice that they will not pursue any further claims against Defendants. Upon the filing of a second amended complaint, Defendants shall have the opportunity to move for dismissal of any remaining claims.

**BY THE COURT:**

/s/ Mitchell S. Goldberg

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**MITCHELL S. GOLDBERG, J.**