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

JENNIFER W. LEVY-TATUM : CIVIL ACTION

:

v. :

:

NAVIENT, and

SALLIE MAE BANK : NO. 15-3794

## **ORDER**

AND NOW, this 7th day of January, 2016, upon consideration of plaintiff

Jennifer W. Levy-Tatum's complaint, defendants Navient and Sallie Mae Bank's motion to

dismiss (docket entry #8), Levy-Tatum's response in opposition thereto, and for the reasons set

forth in our Memorandum issued this day, it is hereby ORDERED that:

- Defendants' motion for leave to file a reply brief (docket entry #10) is
   GRANTED and the Clerk of Court shall DOCKET the defendants' reply;
  - 2. Defendants' motion to dismiss (docket entry #8) is GRANTED IN PART;
- 3. Counts I, IV and V are DISMISSED WITH PREJUDICE as to defendants Navient and Sallie Mae Bank;
- 4. Counts II, III and VI are DISMISSED WITH PREJUDICE as to defendant Sallie Mae Bank only and DISMISSED WITHOUT PREJUDICE as to defendant Navient only; and
- 5. Plaintiff may FILE an amended complaint by noon on February 8, 2016, and failure to do so will result in the Clerk of Court closing this case.

BY THE COURT:

<u>/s/ Stewart Dalzell, J.</u> Stewart Dalzell, J.