

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

SUNCERE JACOBS,

Plaintiff,

v.

CONTRACT CALLERS, INC.,

Defendant.

CIVIL ACTION
NO. 15-05286

ORDER

AND NOW, this 28th day of April, 2016, upon consideration of Contract Callers, Inc.’s (“CCI”) Motion to Dismiss or Alternatively to Strike (ECF No. 6), Suncere Jacobs’s (“Jacobs”) Response (ECF No. 14) and CCI’s Reply (ECF No. 15), it is **ORDERED** that the motion to dismiss is **GRANTED** in part and **DENIED** in part, and the motion to strike is **DENIED**.

Counts I and III, insofar as they allege “pattern or practice” and race discrimination claims under Title VII and the PHRA, are **DISMISSED**. Count II, insofar as it alleges a sex discrimination claim under 42 U.S.C. Section 1981, is also **DISMISSED**. CCI’s motion to dismiss the remainder of Counts I, II and III is **DENIED**.

BY THE COURT:

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