

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

**MRO CORPORATION,**

*Plaintiff,*

**v.**

**HUMANA INC.,**

*Defendant.*

**CIVIL ACTION NO. 16-2881**

**ORDER**

**AND NOW**, this 5th day of June 2019, upon consideration of MRO Corporation's Motion for Partial Summary Judgment [Doc. No. 76], Humana Inc.'s Motion for Summary Judgment [Doc. No. 77], and the responses thereto, and for the reasons stated in the accompanying Memorandum Opinion, it is hereby **ORDERED** as follows:

1. MRO's Motion is **DISMISSED AS MOOT**, to the extent that MRO has moved to preclude Humana from asserting its sixteenth affirmative defense.<sup>1</sup>
2. MRO's Motion is **DENIED**, to the extent that MRO has moved to preclude Humana from asserting its fourteenth affirmative defense.
3. Humana's Motion is **DENIED**.

It is so **ORDERED**.

**BY THE COURT:**

*/s/ Cynthia M. Rufe*

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**CYNTHIA M. RUFÉ, J.**

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<sup>1</sup> As provided in the accompanying memorandum opinion, Humana responded that it will withdraw its sixteenth affirmative defense. Humana Inc.'s Resp. in Opp'n to MRO's Mot. for Partial Summ. J. [Doc. No. 80] at 1.