

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

ROSE WAGNER	:	CIVIL ACTION
	:	NO. 16-3623
v.	:	
	:	
SAMSUNG ELECTRONICS	:	
AMERICA, INC. et al.	:	

ORDER

AND NOW, this 13th day of December, 2016, upon consideration of a partial motion to dismiss and a partial motion for summary judgment from Samsung Electronics America, Inc. and Samsung Electronics Co., Ltd., Dkt. No. 18, plaintiff Rose Wagner's response, Dkt. No. 20, and defendants' reply, Dkt. No. 24, it is ORDERED that defendant's motion is GRANTED in part and DENIED in part as follows:

1. Defendant's motion is GRANTED with respect to Count V of plaintiff's complaint.
Count V is DISMISSED.
2. Defendant's motion is GRANTED with respect to Count VIII of plaintiff's complaint.
Count VIII is DISMISSED.
3. Defendant's motion is DENIED in all other respects without prejudice to defendant's filing a subsequent motion for summary judgment on Counts I-IV and V after further discovery relevant to the preclusive effect of her insurer's release.

If the parties believe a settlement conference would be productive they should contact my chambers (215-597-2750) promptly.

s/Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.