

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

<p>SUSAN WILTON M.D.</p> <p style="text-align:center">Plaintiff,</p> <p style="text-align:center">vs.</p> <p>OPHTHALMOLOGY PHYSICIANS AND SURGEONS, P.C., FRANCIS J. CLARK M.D. and WADE, GOLDSTEIN, LANDAU, ABRUZZO, P.C.</p> <p style="text-align:center">Defendants.</p>	<p style="text-align:center">CIVIL ACTION</p> <p style="text-align:center">NO. 16-cv-3784</p>
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ORDER

And NOW, this 15th day of November 2016, for the reasons stated in the foregoing memorandum, it is hereby **ORDERED** as follows:

1. Defendants Ophthalmology Physicians and Surgeons, P.C. and Francis J. Clark, M.D.'s Motion to Dismiss Count One (ECF No. 17) is **GRANTED** without prejudice;
2. Count Two, Count Three and Count Four are dismissed without prejudice; and
3. Defendant Wade, Goldstein, Landau, Abruzzo, P.C.'s Motion to Dismiss (ECF No. 16) is **DENIED** as moot.

Plaintiff may file an amended complaint as to Count One within fourteen (14) days of the date of this Order.

BY THE COURT:

/s/ Michael M. Baylson

Michael M. Baylson, U.S.D.J.