

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

ABC CAPITAL INVESTMENTS, LLC, AND	:	
ALPHA CAPITAL INVESTMENTS, LLC,	:	
	:	
Plaintiffs,	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 16-CV-4943
CNA FINANCIAL CORPORATION, et al.,	:	
	:	
Defendants.	:	

**ORDER**

AND NOW, this 20th day of June, 2017, upon consideration of Defendants' Motions to Dismiss (Doc. Nos. 20, 25, 30, and 32), Plaintiffs' Consolidated Reply in Opposition thereto (Doc. No. 33), and the Parties' various replies, sur replies, and supplemental briefing (Doc. Nos. 35, 36, 38, 45, 46, and 47), for the reasons stated in the accompanying Memorandum, it is hereby ORDERED that:

(1) Defendant Continental Casualty Company's Motion to Dismiss Plaintiffs' Amended Complaint (Doc. No. 20) is GRANTED;

(2) Defendant City of Philadelphia's Motion to Dismiss for Failure to State a Claim (Doc. No. 25) is DENIED;

(3) Defendant Transportation Insurance Company's Motion to Dismiss Plaintiffs' Amended Complaint (Doc. No. 30) is GRANTED;

(4) Defendant Beneficial Insurance Services, LLC's Motion to Dismiss Plaintiffs' Amended Complaint (Doc. No. 32) is GRANTED;

(5) All claims against Defendants Continental Casualty Company, Transportation Insurance Company, and Beneficial Insurance Services, LLC, are hereby DISMISSED WITHOUT PREJUDICE.

BY THE COURT:

s/J. Curtis Joyner  
J. CURTIS JOYNER, J.