

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

GERALD D. DUNLAP, JR., et al.,
Plaintiffs,

v.

CALIBER HOME LOANS, INC.,
Defendant.

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CIVIL ACTION
NO. 16-5679

ORDER

AND NOW, this 10th day of August, 2017, upon consideration of Defendant’s Motion to Dismiss (Dkt No. 3) and Plaintiffs’ Response thereto (Dkt No. 7), it is hereby **ORDERED** that Defendant’s Motion is **GRANTED** in part and **DENIED** in part.

Defendant’s Motion is **GRANTED** as it relates to Count II of the Complaint. Count II of Plaintiffs’ Complaint is hereby **DISMISSED** with prejudice.

Defendant’s Motion is **DENIED** as it relates to Count I of the Complaint.

An Order scheduling the parties’ Rule 16 Conference with the Court will issue forthwith.

BY THE COURT:

/s/ C. Darnell Jones, II

C. DARNELL JONES, II J.