HIGHTOWER v. WELLS FARGO BANK, N.A. Doc. 21

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

FRANK HIGHTOWER and	:	
CHAMICKA POLLOCK,	:	
on behalf of themselves and all other	:	
similarly situated persons,	:	**CIVIL ACTION**
Plaintiffs,	:	**No. 17-04119**
	:	
v.	:	
	:	
WELLS FARGO BANK, N.A.,	:	
Defendant.	:	

ORDER

This 28th day of March, 2018, upon consideration of Defendant Wells Fargo Bank, N.A.'s Motion to Dismiss and to Strike Class Allegations, ECF No. 16, and Plaintiffs Frank Hightower and Chamicka Pollock's Response in Opposition, ECF No. 18, it is hereby

ORDERED that:

1. Defendant's Motion to Strike Plaintiffs' class allegations is **GRANTED** without prejudice, and the class allegations are hereby stricken from the Amended Complaint;
2. Defendant's Motion to Dismiss is **GRANTED** as to Plaintiffs' disparate impact claims, which are **DISMISSED** without prejudice, and **GRANTED** as to Plaintiff Chamicka Pollock's Title VII claims, which are **DISMISSED** with prejudice; and
3. Defendant's Motion to Dismiss is **DENIED** as to Plaintiffs' individual pattern or practice claims.

/s/ Gerald Austin McHugh
United States District Judge

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