

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

| | | |
|--------------------------|---|--------------|
| _____ | : | |
| ROGER MICHAEL THOMAS, | : | CIVIL ACTION |
| | : | |
| Plaintiff, | : | |
| Counter-Defendant, | : | |
| | : | No. 17-4522 |
| v. | : | |
| | : | |
| THE PRUDENTIAL INSURANCE | : | |
| COMPANY OF AMERICA, | : | |
| | : | |
| Defendants, | : | |
| Counter-Plaintiff. | : | |
| _____ | : | |

ORDER

AND NOW, this 8th day of May, 2018, upon consideration of Plaintiff/Counter-Defendant Michael Thomas’ (“Mr. Thomas”) Motion to Dismiss Defendant’s Counterclaim and Defendant/Counter-Plaintiff The Prudential Insurance Company of America’s Memorandum of Law in Opposition, it is hereby **ORDERED** that Mr. Thomas’ Motion to Dismiss Defendant’s Counterclaim (Doc. No. 15) is **DENIED**.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE