

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

MBMJ PROPERTIES, LLC, et al.,

Plaintiffs,

v.

MILLVILLE MUTUAL INSURANCE  
COMPANY,

Defendant.

CIVIL ACTION  
NO. 18-5071

**ORDER**

**AND NOW**, this 5th day of August 2019, upon consideration of Defendant's Motion to Dismiss Count II of Plaintiffs' Amended Complaint Pursuant to Rule 12(b)(6) (Doc. No. 13), Defendant's Memorandum of Law in Support of the Motion (Doc. No. 14), Plaintiffs' Response in Opposition to the Motion (Doc. No. 16), and in accordance with the Opinion of the Court issued this day, it is **ORDERED** that:

1. Defendant's Motion to Dismiss (Doc. No. 13) is **GRANTED**.
2. Count II of Plaintiffs' Complaint is **DISMISSED WITHOUT PREJUDICE**.
3. Defendant shall file an Answer to the Amended Complaint within twenty-one (21) days of the date of this Order.

BY THE COURT:

/s/ Joel H. Slomsky  
JOEL H. SLOMSKY, J.