

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

Mazza, et al.,	:	CIVIL ACTION
	:	NO. 20-3253
Plaintiffs	:	
v.	:	
	:	
The Bank of New York Mellon,	:	
et al.,	:	
	:	
Defendants	:	

**ORDER**

**AND NOW**, this **16th** day of **February, 2021**, after considering Defendants' Motion to Dismiss (ECF No. 13) and Plaintiffs' response (ECF No. 26) during a hearing on the record on **February 8, 2021**, and for the reasons stated in the accompanying memorandum, it is hereby **ORDERED** as follows:

1. Plaintiff Sophia Mazza is **DISMISSED** from the case. The Clerk of Court shall terminate said Plaintiff on ECF.

2. Defendants' Motion to Dismiss (ECF No. 13) is **GRANTED**. Counts III, VI, VIII, IX, XI, XV, XVI, and XVII are dismissed **WITH PREJUDICE**.

3. Counts I, II, IV, V, VII, X, XII, XIII, and XIV are dismissed **WITHOUT PREJUDICE** to the extent stated in the accompanying memorandum. Plaintiffs shall file an amended complaint by **March 8, 2021**.<sup>1</sup> If Plaintiffs elect to file an amended complaint that includes a claim under RICO, Plaintiffs shall file a RICO case

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<sup>1</sup> In the event that Plaintiffs fail to file an amended complaint by March 8, this order will become a final order.

statement by March 8th as well. The RICO case statement shall comply with the separate order also filed on this date.

4. In accordance with the instant order and the memorandum of the same date, the five named Defendants and the ten John Does are dismissed.

**AND IT IS SO ORDERED.**

*Eduardo C. Robreno*

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**EDUARDO C. ROBRENO, J.**