

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

FUEL UNIVERSITY CITY, LLC

Plaintiff,

v.

ALLIED INSURANCE COMPANY OF  
AMERICA and NATIONWIDE d/b/a  
ALLIED INSURANCE COMPANY OF  
AMERICA

Defendants.

CIVIL ACTION NO. 20-4478

**ORDER**

AND NOW, this 9th day of September 2021, upon consideration of upon consideration of Defendant Allied Insurance Company of America's Motion to Dismiss Amended Complaint, the responses and replies thereto, and for the reasons stated in the accompanying memorandum, it is hereby **ORDERED** that:

1. Plaintiff's Motion for Leave to File a Sur-Reply [Doc. No. 20] is **GRANTED**.  
Plaintiff's sur-reply is deemed filed.
2. Defendant's Motion to Dismiss Amended Complaint [Doc. No. 17] is **GRANTED**. Plaintiff's Amended Complaint is **DISMISSED with prejudice**, and the Clerk of the Court is directed to **CLOSE** the case.
3. Defendant's Motion to Dismiss Complaint [Doc. No. 14] is **DISMISSED as moot**.

It is so **ORDERED**.

**BY THE COURT:**

/s/ Cynthia M. Rufe

**CYNTHIA M. RUFÉ, J.**