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

104-106 1st PLACE CORPORATION :

: CIVIL ACTION

v. :

NO. 22-4968

HARLEYSVILLE WORCESTER

INSURANCE COMPANY :

ORDER

AND NOW, this <u>8th</u> day of May, 2024, upon consideration of Plaintiff's Motion for Leave to Amend to Reassert a Statutory Bad Faith Claim and Amend First Amended Complaint (ECF No. 35), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** that Plaintiff's Motion is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's bad faith claim pursuant to 42 Pa. Stat. and Cons. Stat. Ann. § 8371, which was previously dismissed without prejudice (*See* 8/2/2023 Order, ECF No. 15), is **DISMISSED** with prejudice.

IT IS SO ORDERED.

BY THE COURT:

/s/ R. Barclay Surrick

R. BARCLAY SURRICK, J.