

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

DANA LEE DEMBROW	:	CIVIL ACTION
	:	
v.	:	No. 22-4982
	:	
SYNCHRONY BANK	:	

ORDER

AND NOW, this 19th day of May, 2023, upon consideration of Defendant Synchrony Bank’s Motion to Dismiss Plaintiff’s Amended Complaint (ECF No. 12), Plaintiff Dana Lee Dembrow’s Response in Opposition, and Synchrony’s Reply Brief, and for the reasons stated in the accompanying Memorandum, it is hereby ORDERED the Motion is GRANTED without prejudice.

It is FURTHER ORDERED Dembrow may file a Second Amended Complaint within thirty (30) days of this Order. Any such complaint shall (1) identify all defendants in the case, (2) include all legal claims Dembrow wishes to assert, (3) state the factual basis for Dembrow’s claims against each defendant, and (4) comport with the requirements of Federal Rules of Civil Procedure 8 and 10. The complaint shall not incorporate prior pleadings by reference.¹

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, C.J.

¹ See, e.g., *In re Morrison*, 375 B.R. 179, 193 (W.D. Pa. Bankr. 2007) (“[A]n incorporation by reference [must] . . . be done with a degree of specificity and clarity which would enable a responding party to easily determine the nature and extent of the incorporation. Where use of this tool fails in that regard, courts maintain the power to . . . require a restatement of the referenced material.”).