ARNDT v. WELLS FARGO BANK, N.A. MORTGAGE CONTRACTING AND SERVICES Doc. 12

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

LAURIE ARNDT,	:	**CIVIL ACTION**
Plaintiff,	:	
	:	**No. 14-5586**
v.	:	
	:	
WELLS FARGO BANK, N.A., MORTGAGE CONTRACTING AND SERVICES a/k/a MORTGAGE CONTRACTING SERVICES LLC,	:	
Defendants.	:	

Order

This 20th day of May, 2015, for the reasons stated in my accompanying memorandum opinion, the respective Motions to Dismiss filed by Defendants Wells Fargo and MCS are **GRANTED IN PART** and **DENIED IN PART**, as follows:

1. Defendants' Motions to Dismiss Count IV of Plaintiff's Complaint (Invasion of Privacy – Intrusion Upon Seclusion) are **GRANTED WITHOUT PREJUDICE**;
2. Defendants' Motions to Dismiss Count V of Plaintiff's Complaint (Intentional Infliction of Emotional Distress) are **GRANTED WITH PREJUDICE**;
3. Defendants' Motions to Dismiss Count VI of Plaintiff's Complaint (Negligent Infliction of Emotional Distress) are **GRANTED WITHOUT PREJUDICE**; and
4. Defendants' Motions to Dismiss Plaintiff's request for punitive damages are **DENIED** without prejudice to Defendants to reassert their arguments at summary judgment**.**
5. Plaintiff may amend her Complaint without leave of Court within **21 days** of the entry of this Order.

/s/ Gerald Austin McHugh
United States District Court Judge

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