

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

<b>CARTER P. and SARAH REESE</b>	<b>:</b>	<b>CIVIL ACTION</b>
<b>(HUSBAND AND WIFE),</b>	<b>:</b>	
<b>Plaintiffs</b>	<b>:</b>	
	<b>:</b>	
<b>vs.</b>	<b>:</b>	<b>NO. 14-5715</b>
	<b>:</b>	
<b>POOK &amp; POOK, LLC, et al.,</b>	<b>:</b>	
<b>Defendants</b>	<b>:</b>	

**ORDER**

**AND NOW**, this 19<sup>th</sup> day of December, 2017, upon consideration of the Pook & Pook Defendants’ motion to dismiss (Document #91), the response of the plaintiffs in opposition thereto (Document #93), and the Pook & Pook Defendants’ reply brief (Document #97), **IT IS HEREBY ORDERED** that the motion is **GRANTED** in part and **DENIED** in part, as follows:

1. The motion to dismiss Counts I and II is **DENIED**.
2. The motion to dismiss Count III is **GRANTED** as to the corporate defendant only, but **DENIED** as to the individual Pook Defendants.
3. The motion to dismiss Count IV is **GRANTED** as to the individual Pook defendants, but **DENIED** as to the corporate defendant.<sup>1</sup>
4. The motion to dismiss Count V is **GRANTED** as to the moving defendants only.

**BY THE COURT:**

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/s/ Lawrence F. Stengel  
LAWRENCE F. STENGEL, C. J.

<sup>1</sup> Count IV alleges a breach of contract under two separate theories. The motion to dismiss under the sub-claim of good faith and fair dealing against the corporate defendant is denied, but the motion under the sub-claim of dishonesty in fact against the corporate defendant is granted.