THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ROY MONTALVAN, et al.

Plaintiffs

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3:11-CV-850

(JUDGE MARIANI)

NEVILLE'S MOBILE HOME COURT, LLC

Defendant

ORDER

AND NOW, THIS 13TH DAY OF MARCH, 2019, for the reasons set forth in this Court's accompanying memorandum opinion, IT IS HEREBY ORDERED THAT:

- Defendant's procedural defenses set forth in its "Brief in Opposition to Plaintiffs'
 (Amended) Motion for Contempt" (Doc. 65) are DENIED. Defendant's affirmative defenses of accord and satisfaction, the doctrine of laches, and that the plaintiffs lack standing to pursue this action are DENIED WITHOUT PREJUDICE. Defendant's affirmative defense that this action is barred by the statute of limitations is DENIED WITH PREJUDICE.
- 2. All fact discovery shall be commenced in time to be completed within 45 days of the date of this Order.
- 3. Plaintiffs' Motion for Contempt (Doc. 60) is **DENIED WITHOUT PREJUDICE** to the Plaintiffs filing an Amended Motion for Contempt within **30 days** after the expiration of the discovery period.

Robert D. Mariani

'United States District Judge