

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

ROBERT FLYNN, and KIMBERLY FLYNN, <i>his wife</i>,	:	
	:	
Plaintiffs	:	CIVIL ACTION NO. 3:13-2993
	:	
v.	:	
	:	(JUDGE MANNION)
NATIONWIDE INSURANCE COMPANY of AMERICA,	:	
	:	
Defendant	:	

ORDER

In light of the memorandum issued this same day, **IT IS HEREBY ORDERED THAT** defendant's motion to dismiss plaintiffs' bad faith claim, (Doc. [10](#)), is **GRANTED** and plaintiff's bad faith claim is **DISMISSED without prejudice**. All mentions of an alleged fiduciary duty on the part of defendant are **STRICKEN** from the complaint. Plaintiffs may amend their complaint to allege a bad faith claim by **July, 21 2014**.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: July 7, 2014

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