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## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BERKYS URENA,

Plaintiff,

3:15-CV-570

(JUDGE MARIANI)

ALLSTATE INSURANCE COMPANY and ALLSTATE FIRE CASUALTY

INSURANCE COMPANY

Defendants.

**ORDER** 

AND NOW, THIS 14TH DAY OF MARCH, 2016, upon consideration of Defendants Allstate Insurance Company and Allstate Fire & Casualty Insurance Company's Motion to Dismiss (Doc. 11), IT IS HEREBY ORDERED THAT Defendants' Motion to Dismiss is **GRANTED IN PART AND DENIED IN PART**, to wit:

- 1. Defendants' Motion to Dismiss Count II (Bad Faith) of Plaintiff's Complaint is **GRANTED IN PART AND DENIED IN PART**, specifically,
  - a. The Motion to Dismiss Count II is granted as to paragraph 58(a)-(d) and (h) of the Complaint (Doc. 1).
  - b. The Motion to Dismiss Count II is denied with respect to the remaining allegations pertaining to Plaintiff's Bad Faith claim.
- 2. Defendants' Motion to Dismiss Count III (Unfair Trade Practice & Consumer Protection Law) of Plaintiff's Complaint is **DENIED AS MOOT**

Røbert D. Mariani

United States District Judge