Porter v. Safeco Insurance Company of Illinois Doc. 24

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

ANDREW PORTER,	:	
	:	
Plaintiff,	:	**3:15-CV-759**
v.	:	**(JUDGE MARIANI)**
	:	
SAFECO INSURANCE COMPANY OF ILLINOIS,	:	
	:	
Defendant.	:	

ORDER

AND NOW, THIS 9TH DAY OF FEBRUARY, 2016, upon consideration of Defendant's Motion to Dismiss (Doc. 4) and the accompanying briefs in support thereof (Doc. 4, Ex. 3; Doc. 7), **IT IS HEREBY ORDERED THAT** Defendant's Motion to Dismiss (Doc. 4) is **GRANTED IN PART** and **DENIED IN PART**, to wit:

1. Plaintiff's claim for attorney's fees in Count I is **STRICKEN**, but Plaintiff's claim for attorney's fees under Count II is **PRESERVED**.
2. Plaintiff's allegations in paragraphs 54 through 62 of the Complaint are deemed to be asserted in support of Count I.
3. Plaintiff's claim for compensatory damages in Count II is properly asserted under Count I.

Robert D. Mariani
United States District Judge

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