

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

SAMANTHA SAYLES, individually and  
on behalf of all others similarly situated,

Plaintiffs,

v.

ALLSTATE INSURANCE COMPANY,

Defendant.

CIVIL ACTION NO. 3:16-CV-01534

(JUDGE CAPUTO)

**ORDER**

**NOW**, this 10<sup>th</sup> day of May, 2017, **IT IS HEREBY ORDERED** that the Motion to Dismiss filed by Defendant Allstate Insurance Company (Doc. 10) is **GRANTED in part and DENIED in part**.

- (1) Defendant's Motion to Dismiss Counts I and II is **DENIED**.
- (2) Defendant's Motion to Dismiss Counts III, V, VI, VII, and VIII is **GRANTED**. These Counts are **DISMISSED with prejudice**.
- (3) Defendant's Motion to Dismiss Count IV is **GRANTED**. Count IV is **DISMISSED without prejudice**. Plaintiff has **twenty-one (21) days** from the date of entry of this Order to file an Amended Complaint to properly plead a bad faith claim against Defendant; otherwise, the claim will be **dismissed with prejudice**.

/s/ A. Richard Caputo \_\_\_\_\_  
A. Richard Caputo  
United States District Judge