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

EUGENE O'MALLEY,

Plaintiff,

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:

SUNDANCE VACATIONS, INC.,

Defendant.

3:17-CV-1419

(JUDGE MARIANI)

SCRANTON

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<u>ORDER</u>

AND NOW, THIS LEVEL DAY OF NOVEMBER, 2017, upon consideration of

Plaintiff's Motion for Leave to File Second Amended Complaint, (Doc. 14), and Defendant's Concurrence therewith, (Doc. 14-3), **IT IS HEREBY ORDERED THAT**:

- 1. Plaintiff's Motion for Leave to File Second Amended Complaint, (Doc. 14), is **GRANTED**.
- Plaintiff shall file its Amended Complaint, previously filed as an attachment to
 Plaintiff's Motion for Leave to File Second Amended Complaint, (Doc. 14-1), within 5
 days of the date of this Order.
- 3. Defendant's Motion to Dismiss, (Doc. 10), is DISMISSED AS MOOT.

Robert D. Mariani

United States District Judge