

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

STEVEN PLAVIN, on behalf of himself :
and all others similarly situated, *et al.* :

Plaintiff, :

v. :

3:17-CV-1462
(JUDGE MARIANI)

GROUP HEALTH INCORPORATED, :

Defendant. :

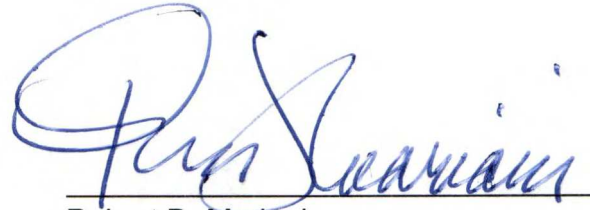
ORDER

AND NOW, THIS 22nd DAY OF SEPTEMBER, 2023, upon consideration of the Motion for Summary Judgment filed by Defendant Group Health Incorporated (“GHI”) (Doc. 141), and all documents relevant to such motion, **IT IS HEREBY ORDERED THAT** GHI’s Motion for Summary Judgment (Doc. 141) is **GRANTED** in part and **DENIED** in part as follows:

1. GHI’s Motion for Summary Judgment (Doc. 141) is **GRANTED** as to all Plaintiffs’ New York General Business Law (“GBL”) § 349, GBL § 350, and New York Insurance Law § 4226(a) claims, including those of former Plaintiff Steven Plavin, as asserted in Plaintiffs’ Second, Third, and Fourth Claims for Relief in the Amended Complaint (Doc. 70).¹ Judgment is entered in favor of Defendant GHI and against Plaintiffs on these claims (Doc. 70).

¹ Steven Plavin voluntarily withdrew from this case on June 27, 2022. (Doc. 115.)

2. GHI's Motion for Summary Judgment (Doc. 141) is **DENIED without prejudice** as to all Plaintiffs' unjust enrichment claims, including those of former Plaintiff Plavin, as asserted in Plaintiffs' First Claim for Relief in the Amended Complaint (Doc. 70).

A handwritten signature in blue ink, appearing to read "R. Mariani", written over a horizontal line.

Robert D. Mariani
United States District Judge