

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

ELAINE RICE, Individually and on behalf of others similarly situated	:	
	:	
	:	
Plaintiff,	:	Case No. 4:15-cv-00371
	:	
v.	:	
	:	
ELECTROLUX HOME PRODUCTS, INC.	:	(Judge Brann)
	:	
	:	
Defendant.	:	

**ORDER**  
July 28, 2015

**AND NOW**, in accordance with the accompanying Memorandum, **IT IS  
HEREBY ORDERED THAT:**

1. Defendant’s Motion to Strike the “Other States” Subclass (ECF No. 8) is hereby **GRANTED** with leave to amend.
2. The Court will *sua sponte* **STRIKE** Count Eight **WITH PREJUDICE**.
3. Defendant’s Motion to Dismiss (ECF No. 10) is **GRANTED IN PART** and **DENIED IN PART**. Any claims for economic losses related to the costs to repair or replace the Microwaves in Counts Two and Three are **DISMISSED WITH PREJUDICE**. Count Seven, as well as any claims for equitable tolling, are **DISMISSED WITHOUT PREJUDICE**.
4. Plaintiff may, within twenty-one (21) days of this Order, file an Amended Complaint addressing the deficiencies noted in the accompanying Memorandum.

5. Should Plaintiff fail to file an Amended Complaint within the required time period, the counts or causes of action that have been dismissed *without* prejudice will be dismissed *with* prejudice and plaintiff will be prohibited from redefining the putative classes.

BY THE COURT:

s/ Matthew W. Brann  
Matthew W. Brann  
United States District Judge