

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

TIMOTHY MOORE, THERESA MOORE, GUARDIANS OF RACHAEL MOORE, AN INCAPACITED PERSON,)	
)	2:18cv185
)	Electronic Filing
Plaintiffs,)	
)	
v.)	
)	
TRUMBULL INSURANCE COMPANY,)	
Defendant.)	

MEMORANDUM ORDER

On February 9, 2018, the above captioned case was removed to this court and was referred to a magistrate judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules of Court for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on October 29, 2018 (ECF No. 18) recommending that the motion to dismiss (ECF No. 9) be granted and that the action be dismissed for failure to state a claim. On November 12, 2018 Plaintiffs filed their objections (ECF No. 19) and on December 6, 2018 Defendant filed its response thereto. (ECF No. 22).

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 18th day of December, 2018;

IT IS HEREBY ORDERED that the motion to dismiss (ECF No. 9) be **GRANTED**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 18) dated October 29, 2018, is **ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.



David Stewart Cercone
Senior United States District Court Judge

cc: Lawrence P. Lutz, Esquire
Joshua Bachrach, Esquire

(Via CM/ECF Electronic Mail)