

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOSEPH VADELLA and ANN VADELLA,

Plaintiffs,

v.

AMERICAN STATES INSURANCE
COMPANY,

Defendant.

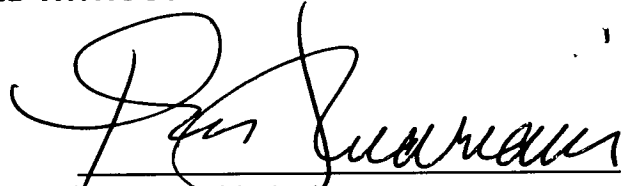
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: CIVIL ACTION NO. 3:19-CV-73
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:(JUDGE MARIANI)
:(Magistrate Judge Carlson)
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ORDER

AND NOW, THIS 8th DAY OF AUGUST 2019, upon review of Magistrate

Judge Carlson's Report and Recommendation ("R&R") (Doc. 18) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 18) is **ADOPTED** for the reasons discussed therein;
2. Defendant American States Insurance Company's Motion to Dismiss Count II – Bad Faith (Doc. 4) is **DENIED WITHOUT PREJUDICE**;
3. Defendant American States Insurance Company's Motion to Dismiss Count II – Bad Faith (Doc. 5) is **DENIED WITHOUT PREJUDICE**.¹



Robert D. Mariani
United States District Judge

¹ As noted by Magistrate Judge Carlson, American States has filed two motions to dismiss Plaintiffs' bad faith claim and "the motions are substantively identical, raise the same legal issues relating to the sufficiency of the complaint, and have inspired a joint response from the plaintiffs." (Doc. 18 at 1 n.1.)