

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DISTRICT**

JOHN O'BANNON, *et al.*,

*

Plaintiffs,

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v.

*

Civil Action No. AW-03-623

FRIEDMAN'S, INC., *et al.*,

*

Defendants.

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ORDER

Currently pending before the Court are a Motion to Dismiss [85], filed by Defendant Federal Insurance Company ("Federal"), and a separate Motion to Dismiss [87], filed by Defendant St. Paul Mercury Insurance Company ("St. Paul") (collectively "Defendants"). Plaintiffs oppose both motions. The Court has reviewed the entire record, as well as the pleadings with respect to the instant motions. On April 30, 2007, the Court held hearing concerning the motions and heard from all the parties. Accordingly, upon consideration of the instant motions, the parties' representations at the motions hearing, and the reasons articulated at the hearing, IT IS this 30th day of April, 2007, by the United States District Court for the District of Maryland, hereby **ORDERED:**

1. That Defendant Federal Insurance Company's Motion to Dismiss [85] BE, and hereby, IS **DENIED**;
2. That Defendant St. Paul Mercury Insurance Company's Motion to Dismiss [87] BE, and hereby, IS **DENIED**; AND
3. That the Clerk of the Court shall mail copies of this Order to counsel of record.

/s/
Alexander Williams, Jr.
United States District Judge