## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HOLLY LLOYD : CIVIL ACTION

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COVANTA PLYMOUTH RENEWABLE : NO. 20-4330

ENERGY, LLC

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## ORDER

AND NOW, this 3rd day of February, 2021, for the reasons set forth in the foregoing memorandum, it is hereby ORDERED that:

- (1) The partial motion of Defendant Covanta Plymouth

  Renewable Energy, LLC to dismiss and strike Count III of
  the complaint alleging negligence (Doc. #11) is GRANTED;
  and
- (2) The partial motion to dismiss is otherwise DENIED.

BY THE COURT:

/s/ Harvey Bartle III

J.