

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

BRIANA SIEGAL, individually and on)
behalf of all others similarly situated,)

Plaintiff,)

v.)

Case No. 1:20-cv-04306

GEICO CASUALTY COMPANY,)
GEICO INDEMNITY COMPANY, and)
GEICO GENERAL INSURANCE)
COMPANY,)

Hon. Sharon J. Coleman

Defendants.)

GEICO’S MOTION TO DISMISS PLAINTIFF’S FIRST AMENDED COMPLAINT

Defendants GEICO Casualty Company, GEICO Indemnity Company and GEICO General Insurance Company (collectively, “GEICO”), by and through its attorneys Duane Morris LLP, respectfully moves this Honorable Court, pursuant to Federal Rule of Civil Procedure 12(b)(6), for dismissal of Plaintiff’s Complaint with prejudice. As explained in GEICO’s brief in support of this Motion, Plaintiff’s Complaint fails to state a claim upon which relief may be granted for various reasons, including: (a) GEICO breached no term of its contract; (b) GEICO made no false or deceptive statement; (c) GEICO violated no statute or regulation; (d) Plaintiff did not allege materiality or damage; and (e) GEICO Indemnity and GEICO General are not alleged to be in privity.

/s/ Lisa T. Scruggs
Lisa T. Scruggs (#6256650)
Ronald M. Lepinkas (#6216428)

DUANE MORRIS, LLP
190 South LaSalle, Suite 3600
Chicago, IL 60603
ltscruggs@duanemorris.com

Damon N. Vocke
(Admission To Be Sought Pro Hac Vice)

DUANE MORRIS LLP
1540 Broadway
New York, NY 10036-4086
dnvocke@duanemorris.com

CERTIFICATE OF SERVICE

The undersigned certifies that on October 15, 2020 she caused the foregoing document to be electronically filed with the Court using the CM/ECF system. Notice of this filing will be sent to the parties of record by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Lisa T. Scruggs