

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

ANNE HUMPHREYS,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	NO. 10-cv-1302
	:	
BUDGET RENT A CAR SYSTEM	:	
INC., et al.,	:	
Defendants.	:	

ORDER

AND NOW, this 19th day of December, 2017, upon consideration of the plaintiff’s motion for partial summary judgment against Viking (Doc. No. 149), Viking’s opposition and cross-motion for summary judgment (Doc. No. 159), plaintiff’s response to Viking’s cross-motion (Doc. No. 168), Budget’s motion for summary judgment against plaintiff (Doc. No. 164) and plaintiff’s opposition (Doc. No. 169), **IT IS HEREBY ORDERED:**

1. Plaintiff’s motion for partial summary judgment against Viking is **DENIED**;
2. Viking’s cross-motion for summary judgment against plaintiff is **GRANTED**;
3. Budget’s motion for summary judgment is **GRANTED** in part and **DENIED** in part as follows:

- a. Budget’s motion for summary judgment of count two of the Second Amended Complaint alleging a violation of the Pennsylvania Fair Credit Extension Uniformity Act, 73 Pa.C.A § 2270, is **GRANTED**;
- b. Budget’s motion for summary judgment of count three of the Second Amended Complaint alleging a breach of the duty of good faith and fair

dealing with respect to Budget's alleged untimely notice of plaintiff's damages is **GRANTED**;

- c. Budget's motion for summary judgment of count three of the Second Amended Complaint alleging a breach of the duty of good faith and fair dealing with respect to Budget's loss of use calculation is **DENIED**;
- d. Budget's motion for summary judgment of count four of the Second Amended Complaint seeking declaratory judgment that Budget's method of calculating damages to rental cars is unlawful is **DENIED**.

BY THE COURT:

/s/ Lawrence F. Stengel

LAWRENCE F. STENGEL, C.J.