

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

<p>PATRICIA BEVINS, <i>Plaintiff,</i></p> <p>v.</p> <p>COLGATE-PALMOLIVE CO. and BJ'S WHOLESALE CLUB, INC., <i>Defendants.</i></p>	<p>CIVIL ACTION NO. 25-576</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------

ORDER RE: MOTION TO DISMISS AND SANCTIONS

AND NOW, this 10th day of April, 2025, it is hereby **ORDERED** as follows:

1. After consideration of all briefs by the parties, Defendants' Motions to Dismiss (ECF 9-1 & 11) are **GRANTED**. Plaintiff's Complaint (ECF 3-1) is **DISMISSED without prejudice and with leave** to file an amended complaint within **thirty (30) days**.
2. After consideration of Plaintiff's counsel's memorandum in support of cause, Attorney Nicholas L. Palazzo, Esq. of DeFino Law Associates PC is hereby **SANCTIONED** pursuant to Fed. R. Civ. P. 11(c) as follows.
 - a. The Clerk of Court is **ORDERED** serve a copy of this order on the State Bar of Pennsylvania and the Eastern District of Pennsylvania Bar, both of which Attorney Palazzo is a member (Attorney ID: 309040).
 - b. Attorney Palazzo's appearance of this case is hereby **STRICKEN with prejudice** due to his violation of Fed. R. Civ. P. 11(b)(2) and failure to submit an affidavit in accordance with this Court's standing order. Should Bevins wish to refile this case, she must do so with new counsel or may re-file her case pro se.
 - c. Attorney Palazzo is **ORDERED** to promptly inform Bevins of these sanctions, provide her with a copy of the memorandum and order, and instruct her that, should she choose

to refile her case within thirty days of this order, she must find new counsel or may refile her case pro se.

BY THE COURT:

/s/ Michael M. Baylson
MICHAEL M. BAYLSON
United States District Court Judge

\\adu.dcn\paed\PHL-DATA\Judge_Baylson\CIVIL 25\25-576 Bevins v Colgate-Palmolive\25-576 Order on Motion to Dismiss and Sanctions.docx