

- (4) Defendants' Motion to Dismiss Plaintiffs Acosta and Ventrella's Unjust Enrichment and Unfair Competition claims is DENIED without prejudice, contingent upon the outcome of Plaintiffs' equitable tolling claim;
- (5) Defendants SunTrust Banks, Inc. and SunTrust Bank's Motion to Dismiss Plaintiffs' claims against them for failure to pierce the corporate veil is DENIED without prejudice and **on or before August 22, 2014**, Plaintiffs shall conduct limited discovery regarding specific conduct by these two particular defendants in relation to the claims set forth in Plaintiffs' First Amended Complaint; and
- (6) Defendants' Motion to Dismiss on the basis of Plaintiffs' failure to join a necessary party is GRANTED. In the event Plaintiffs are able to establish that equitable tolling shall apply in this matter, Rose Simpson Thurmond must be joined as an indispensable party.

BY THE COURT:

/s/ C. Darnell Jones, II

C. Darnell Jones, II J.