

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

Richmond Division

*MICHAEL T. DREHER, on behalf of himself
and all others similarly situated,*

Plaintiffs,

v.

Case No. 3:11-cv-624

EXPERIAN INFORMATION SOLUTIONS, INC.,

Defendant.

ORDER

The Court vacates its Order of November 25, 2014, and enters this Order in its place, effective December 3, 2014.

This matter comes before the Court on the parties' motions for partial summary judgment. (Dk. Nos. 175, 179.) The Court DENIES the defendants' motion for summary judgment, and GRANTS IN PART the plaintiff's motion for summary judgment.

Specifically, the Court finds that Experian committed a willful violation of the Fair Credit Reporting Act. As to the plaintiff's individual claim that his credit report was inaccurate, the Court finds that material issues of fact exist, and DENIES the plaintiff's motion for summary judgment on the accuracy element of his individual claims. To the extent the parties move for summary judgment on any other ground, the motions are DENIED.

Although this Order would generally not be appealable, the Court finds that this Order involves a controlling question of law as to which there is substantial ground for difference of opinion and further finds that an immediate appeal from the Order would materially advance the

ultimate termination of the litigation. *See* 28 U.S.C. § 1292(b). This finding does not stay further proceedings in this Court. The parties are free to move the Court to stay this action in light of any actions taken by the United States Court of Appeals for the Fourth Circuit.

It is so ORDERED.

The Clerk is directed to send a copy of this Order to all counsel of record.

Date: December 3, 2014
Richmond, Virginia

/s/ [Signature]
John A. Gibney, Jr.
United States District Judge