

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

SYNERGY CHC CORP.,)	
)	
Plaintiff,)	
)	2:22-cv-00301-JAW
v.)	
)	
HVL, LLC, d/b/a ATRIUM)	
INNOVATIONS,)	
)	
Defendant.)	

**ORDER AFFIRMING
RECOMMENDED DECISION**

The United States Magistrate Judge filed with the Court on February 27, 2023, her Recommended Decision. *Report and Recommended Decision* (ECF No. 31). Neither party filed any objection. The Court reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record, and the Court made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and the Court concurs with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision and determines that no further proceeding is necessary.

The Court **AFFIRMS** the Recommended Decision of the Magistrate Judge (ECF No. 31) and thereby:

- **DENIES** the Defendant's Motion to Dismiss as to Count III;
- **GRANTS** the Defendant's Motion to Dismiss as to Count IV;

- DISMISSES without prejudice the Defendant's Motion to Dismiss as to Count IV; and
- ORDERS the Plaintiff to file a motion to amend its complaint, together with its proposed amended complaint, no later than two weeks from the date of the Court's order, failing which the Court will dismiss Count IV of the complaint with prejudice.

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of March, 2023