

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

---

JOSEPH G. PIA, an individual,  
Plaintiff,

vs.

SUPERNOVA MEDIA, INC., a New York  
corporation, *et al.*,  
Defendants.

---

SUPERNOVA MEDIA, INC., a New York  
corporation, *et al.*,  
Counterclaimants,

vs.

JOSEPH G. PIA,  
Counterclaim Defendant.

---

SUPERNOVA MEDIA, INC., a New York  
corporation, *et al.*,  
Third-Party Plaintiffs,

vs.

BENNETT TUELLER JOHNSON &  
DEERE, LLC, a Utah limited liability  
company, *et al.*,  
Third Party Defendants.

---

ORDER and MEMORANDUM  
DECISION

Case No. 2:09-cv-840 CW

Now before the court is a motion to dismiss counterclaims and third party claims (Dkt. No. 121). For the reasons set forth at the hearing on this motion held on October 5, 2011, the court DENIES that motion.

Mr. Pia is granted leave, however, to file an additional motion to dismiss the seventh cause of action (declaratory judgment) stated in the counterclaim against Mr. Pia. Such a motion to dismiss that cause of action shall be granted on the condition that Mr. Pia submit a filing in which he disclaims any lien or other interest in the film at issue in this action.

DATED this 6th day of October, 2011.

BY THE COURT:



---

Clark Waddoups  
United States District Court Judge