

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**J & J SPORTS PRODUCTIONS,)
INC.,)**

PLAINTIFF,)

v.)

Case No. 2:12-cv-1722-JHE-SLB

**PH LOUNGE, LLC, and)
ANTONIO FIKES, JR., individually)
doing business as PH Night Club)
doing business as PH Ultra Lounge,)**

Defendants,)

ORDER

In accordance with the Memorandum Opinion entered contemporaneously herewith, it is **ORDERED** that “Defendants’ Motion to Dismiss for Failure to State a Claim, Subject Matter Jurisdiction, Lack of Personal Jurisdiction, Lack of Standing, Failure to Mitigate Damages, Waiver & Estoppel, and Failure to Prosecute” is **DENIED**.

This action is **REFERRED** back to Magistrate John England for further proceedings.

DONE, this 29th day of September, 2013.

Sharon Lovelace Blackburn

SHARON LOVELACE BLACKBURN
CHIEF UNITED STATES DISTRICT JUDGE