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10 GLOBAL EQUITIES, LLC  
11 d/b/a HIGHER EDUCATION GROUP

12 **UNITED STATES DISTRICT COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 SOUTHERN CALIFORNIA INSTITUTE OF  
15 LAW, a California corporation,

16 Plaintiff,

17 vs.

18 TCS EDUCATION SYSTEM, an Illinois  
19 corporation; DAVID J. FIGULI, an individual;  
20 and GLOBAL EQUITIES, LLC d/b/a HIGHER  
21 EDUCATION GROUP, a Colorado limited  
22 liability company,

23 Defendants.

Case No. CV10-8026 JAK (AJWx)  
(Assigned to the Hon. John A. Kronstadt)

[PROPOSED] ORDER GRANTING  
DEFENDANTS DAVID J. FIGULI AND  
GLOBAL EQUITIES, LLC  
d/b/a HIGHER EDUCATION GROUP'S  
MOTION TO DISMISS PORTIONS OF  
PLAINTIFF'S FIRST AMENDED  
COMPLAINT PURSUANT TO F.R.C.P.  
12(b)(6)

Complaint Filed: October 25, 2010  
Trial Date: TBD

Judge: Hon. John A. Kronstadt  
Hearing Date: August 8, 2011  
Hearing Time: 1:30 p.m.  
Hearing Dept.: 750

24 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

25 Defendants David J. Figuli and Global Equities, LLC d/b/a Higher Education Group's  
26 ("Defendants") Motion to Dismiss pursuant to F.R.C.P. 12(b)(6) came on regularly for hearing on  
27 August 8, 2011 in Department 750 of the above-referenced Court, the Honorable John A. Kronstadt  
28 presiding. George A. Shohet of Law Offices of George A. Shohet, PC appeared on behalf of  
Plaintiff, Jeffrey S. Whittington of Kaufman Borgeest & Ryan LLP appeared on behalf of  
defendant TCS Education System and Maurice Fitzgerald of Strazulo Fitzgerald LLP appeared on

1 behalf of Defendants.

2 After consideration of the moving, opposition and reply papers, as well as oral arguments  
3 submitted by counsel, and good cause appearing therefore,

4 THE COURT HEREBY ORDERS THAT:

5 A. All Claims for Relief against Defendants are dismissed without leave to amend.

6 Specifically:

7 1. Plaintiff's Third Claim for Relief for Misappropriation of Trade Secrets is dismissed  
8 without leave to amend as against Defendants for failure to state sufficient facts to establish a cause  
9 of action.

10 2. Plaintiff's Fourth Claim for Relief for Tortious Interference with Contract is  
11 dismissed without leave to amend as against Defendants for failure to state sufficient facts to  
12 establish a cause of action.

13 3. Plaintiff's Fifth Claim for Relief for violation of the Unfair Competition Law is  
14 dismissed without leave to amend as against Defendants for failure to state sufficient facts to  
15 establish a cause of action.

16 B. Plaintiff shall pay those reasonable costs incurred by Defendants herein that Defendants  
17 may recover pursuant to Local Rules 54-1 and 54-4.

18 IT IS SO ORDERED.

19 DATED:

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21 \_\_\_\_\_  
22 Honorable John A. Kronstadt  
23 District Court Judge  
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