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 6 DAVID J. FIGULI and  
 GLOBAL EQUITIES, LLC  
 7 d/b/a HIGHER EDUCATION GROUP

8 **UNITED STATES DISTRICT COURT**  
 9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
 11 SOUTHERN CALIFORNIA INSTITUTE OF  
 LAW, a California corporation,

12 Plaintiff,

13 vs.

14 TCS EDUCATION SYSTEM, an Illinois  
 15 corporation; DAVID J. FIGULI, an individual;  
 and GLOBAL EQUITIES, LLC d/b/a HIGHER  
 16 EDUCATION GROUP, a Colorado limited  
 liability company,

17 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

21 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

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