JS-6

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

ANDREW SCHWARTZ and JAMES UNICE, individually and on behalf of all others similarly situated,

Plaintiff,

v.

VIZIO, INC.,

Defendant.

Case No. 8:16-cv-01883-JVS-DFM

Consolidated with
Case No. **2:16-cv-09367-JVS-DFM**

[Assigned to Hon. James V. Selna]

ORDER GRANTING DEFENDANT VIZIO, INC.'S MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 9(b) AND 12(b)(6)

On August 21, 2017, at 1:30 p.m. in Courtroom 10C of the Ronald Reagan Federal Building and United States Courthouse for the Central District of California, located at 411 W. Fourth St., Santa Ana, CA 92701, Defendant Vizio, Inc.'s Motion to Dismiss the Second Consolidated Amended Complaint ("SCAC") came on for hearing before this Court. The parties appeared through their counsel of record.

After considering all of the papers filed herein, the authorities submitted by counsel, as well as counsel's oral arguments, it is **HEREBY ORDERED** that the Motion is **GRANTED**. Plaintiffs' CAC is dismissed **WITH PREJUDICE**.

IT IS SO ORDERED.

Dated: August 24, 2017

HON. JAMES V. SELNA
United States District Judge