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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)**

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

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

9
10 **IT IS SO ORDERED.**

11
12 Dated: August 24, 2017

13 
14 HON. JAMES V. SELNA
15 United States District Judge