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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRIAN H., et al.,
Plaintiffs,
v.
BLUE SHIELD OF CALIFORNIA, et al.,
Defendants.

Case No. [17-cv-03095-MMC](#)

**ORDER GRANTING DEFENDANTS'
MOTION TO DISMISS, OR IN THE
ALTERNATIVE, TO STRIKE**


Re: Dkt. No. 50

Before the Court is defendants' "Motion to Dismiss Plaintiffs' First Amended Complaint, or in the Alternative, Motion to Strike," filed January 23, 2018, pursuant to Rules 12(b)(6) and 12(f) of the Federal Rules of Civil Procedure, by which motion defendants seek an order dismissing plaintiffs' Second and Third Causes of Action. Plaintiffs have filed opposition, to which defendants have replied. The matter came on regularly for hearing on March 2, 2018. Katie J. Spielman appeared on behalf of plaintiffs. Joseph E. Laska and Ketakee R. Kane appeared on behalf of defendants.

The Court having considered the parties' respective written submissions and the arguments of counsel at the hearing, as well as having explored with counsel any potentially viable basis for amendment, the motion is, for the reasons stated on the record at the hearing, hereby GRANTED.

IT IS SO ORDERED.

Dated: March 5, 2018


MAXINE M. CHESNEY
United States District Judge