

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Chief Judge Wiley Y. Daniel**

Civil Action No. 09-cv-02683-WYD-MEH

ERIC SCHMIDT,

Plaintiff,

v.

DJO, LLC; and  
I-FLOW CORPORATION;

Defendants.

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**ORDER**

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In light of the dismissal of Defendants Abbott Laboratories and Abbot Laboratories, Inc, it is

ORDERED that the Second, Fifth, Seventh and Ninth Claims for Relief, which are asserted exclusively as to those Defendants, are **DISMISSED**. It is

FURTHER ORDERED that Defendants Abbott Laboratories and Abbot Laboratories, Inc.'s Motion to Dismiss Plaintiff's Claims Pursuant to Fed. R. Civ. P. 12(b)(6) and Joinder in Defendants I-Flow Corporation's Motion to Dismiss and DJO, LLC's Motion to Dismiss (ECF No. 27 filed February 16, 2010) is **DENIED AS MOOT**.

Dated: August 2, 2010

BY THE COURT:

s/ Wiley Y. Daniel  
Wiley Y. Daniel  
Chief United States District Judge