

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior District Judge Richard P. Matsch

Civil Action No. 11-cv-02483-RPM

BENJAMIN VALDEZ,

Plaintiff,

v.

APOLLO GROUP, INC., an Arizona corporation,  
INSIGHT SCHOOLS, INC., an Oregon corporation  
d/b/a Insight School of Colorado and Insight School Colorado at Julesburg,  
now a subsidiary of Iowa College Acquisition Corp., a Delaware corporation,  
in turn a subsidiary of Kaplan Higher Education Corporation, a Delaware corporation,

Defendants.

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ORDER DENYING DEFENDANTS' PARTIAL MOTION TO DISMISS

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On December 8, 2011, the defendants filed a partial motion to dismiss plaintiff's amended complaint by asserting that the second claim for relief in the amended complaint filed in this court on November 21, 2011, fails to state a claim for relief under the Colorado Consumer Protection Act. Upon review of the amended complaint, the plaintiff's opposition to the motion and the defendants' reply it is

ORDERED that the partial motion to dismiss is denied.

DATED: December 30<sup>th</sup>, 2011

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior District Judge