

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

DEMASI-KONDAPALLI, LLC,

Plaintiff,

v.

Case No: 8:15-cv-1758-T-30AEP

FEDERAL DEPOSIT INSURANCE
CORPORATION, as Receiver of
Orion Bank,

Defendant.

ORDER

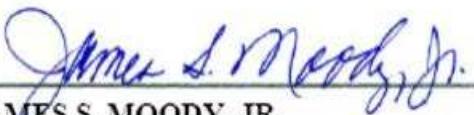
THIS CAUSE comes before the Court upon Defendant, Federal Deposit Insurance Corporation, as Receiver of Orion Bank's Motion to Dismiss Complaint (Dkt. #15) and Plaintiff's Response and Opposition (Dkt. #18). Upon review of the motion, response, and being otherwise advised in the premises, the Court denies Defendant's motion.

Defendant's motion to dismiss is virtually identical to the motion to dismiss it filed against the related Defendant Ravi Kondapalli in Case No. 8:15-cv-1370-T-30AEP at Dkt. #14. Ravi Kondapalli is one of the members of Defendant Demasi-Kondapalli, LLC. This Court addressed the merits of Defendant's motion to dismiss in Case No. 8:15-cv-1370-T-30AEP and denied it. *See* 8:15-cv-1370-T-30AEP at Dkt. #19. Accordingly, the motion filed in this case is denied for the same reasons as stated in the Court's January 8, 2016 Order in Case No. 8:15-cv-1370-T-30AEP. *See id.*

It is therefore ORDERED AND ADJUDGED that:

1. Defendant, Federal Deposit Insurance Corporation, as Receiver of Orion Bank's Motion to Dismiss Complaint (Dkt. #15) is DENIED.
2. Defendant shall file an answer to the complaint within fourteen (14) days of this Order.

DONE and **ORDERED** in Tampa, Florida, this 21st day of January, 2016.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record

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