

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 06-21748-CIV-MARTINEZ-BANDSTRA

MARK J. GAINOR,

Plaintiff,

vs.

SIDLEY, AUSTIN, BROWN & WOOD, LLP,

Defendant.

**ORDER GRANTING JOINT MOTION TO DISMISS COUNT IX OF THE COMPLAINT
WITHOUT PREJUDICE**

THIS CAUSE came before the Court upon the parties' Joint Motion to Dismiss Count IX of the Complaint without Prejudice (**D.E. No. 24**), filed on October 5, 2006. The Court has carefully considered the motion and is otherwise duly advised. It is hereby:

ORDERED AND ADJUDGED that

1. The parties' Joint Motion to Dismiss Count IX of the Complaint without Prejudice (**D.E. No. 24**) is **GRANTED**.
2. Count IX of the Complaint is **DISMISSED** without prejudice.
3. The Defendant's Motion to Dismiss is **DENIED as moot** in part as to Count IX of the Complaint only.

DONE AND ORDERED in Chambers at Miami, Florida, this 4th day of December, 2006.



JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

Copies provided to:
All Counsel of Record