

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**BIBB COUNTY SCHOOL DISTRICT,** )

**Plaintiff,** )

**v.** )

**ROMAIN DALLEMAND, et al.,** )

**Defendants.** )

**CIVIL ACTION NO. 5:16-CV-549 (MTT)**

**ORDER**

Defendant Positiventures Initiative, LLC has moved to dismiss the Plaintiff’s second amended complaint for failure to state a claim or, in the alternative, for a more definite statement. Doc. 227. Defendant Integrated Technologies Consulting, LLC, which is represented by the same lawyer, filed a similar motion which had some merit given the paucity of allegations against Integrated. Doc. 225. Positiventures is not Integrated. The second amended complaint clearly makes sufficient allegations to withstand a motion to dismiss. Positiventures’ primary concern appears to be the shotgun nature of the complaint. A so-called shotgun style complaint is not, in this Court’s view, necessarily a fatal condition. Here, the School District plausibly alleges Positiventures’ involvement in a scheme to defraud the School District through bribery and other means. The counts alleged against Positiventures are clearly based on Positiventures’ alleged involvement in that scheme. Whether the School District can prove its allegations against Positiventures is appropriately a matter for summary judgment and, if necessary, a trial.

Accordingly, Positiventures' motion (Doc. 227) is **DENIED**.

**SO ORDERED**, this 20th day of March, 2018.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT