

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS**

Duane Porte et al)	
)	Case No: 12 C 9844
)	
v.)	
)	Judge: John W. Darrah
Pipefitters Association et al)	
)	
)	

ORDER

For the reasons stated in the attached memorandum opinion and order, MCA’s Motion to Dismiss Counts IV, V and VI of Plaintiff’s Complaint [22] and Local 597’s Motion to Dismiss Count VI [27] are granted. Count VI is dismissed without prejudice with respect to Local 597 and MCA. Counts IV and V are dismissed without prejudice as to MCA. Defendants’ Joint Motion to strike Allegations and Exhibit D from the Complaint [24] is also granted; allegations 19 through 90 and Exhibit D are struck from the Complaint. Plaintiffs are granted leave to amend their allegations, in accordance with Rule 11, within thirty days of this order. Enter Memorandum Opinion and Order.

Date: 9/12/13

/s/ Judge John W. Darrah