

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

CHARLES L. DAVIS and JAMES R.  
WEEDE, *individually and on behalf of all  
others similarly situated,*

Plaintiffs,

v.

Case No. 08-cv-779-JPG

RETIREMENT PLAN OF PHIBRO  
ANIMAL HEALTH CORPORATION  
AND SUBSIDIARIES AND  
AFFILIATES, PHIBRO ANIMAL  
HEALTH CORPORATION, PRINCE  
AGRI PRODUCTS, INC., PRINCE  
MINERALS, INC., JACK C. BENDHEIM,  
RICHARD G. JOHNSON, and DAVID C.  
STORBECK,

Defendants.

**MEMORANDUM AND ORDER**

This matter comes before the Court on the Plaintiffs’ unopposed Motion to Strike (Doc. 123).

Being fully advised of the premises, the Court **GRANTS** the instant motion (Doc. 123), whereby the Court **STRIKES** Counts IV, V, and VI from the operative Amended Complaint (Doc. 114). The Court **DISMISSES** Counts IV and V **with prejudice** as they relate to Plaintiff Charles Davis and **without prejudice** as they relate to Plaintiff James Weede. The Court also **DISMISSES** Count VI **with prejudice** as it relates to both Davis and Weede. Further, the Court **CLARIFIES** its Order (Doc. 117) of February 10, 2011, by noting that Count II has been **DISMISSED with prejudice** as it relates to Davis and **without prejudice** as it relates to Weede. Finally, the Court **AMENDS** its Scheduling and Discovery

Order (Doc. 112) of January 10, 2011, by noting that there shall be no further amendments to the operative complaint to add additional claims or plaintiffs or to make additional allegations relating to, arising from, or supporting claims that have been dismissed.

**IT IS SO ORDERED**

**Dated: April 4, 2011**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**