

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

MICHAEL HINTON,)
)
 Plaintiff,)
) 1:09-cv-00554-JAW
 v.)
)
 OUTBOARD MARINE)
 CORPORATION,)
)
 Defendant.)

ORDER GRANTING MOTION TO DISMISS

On February 24, 2011, Michael Hinton moved to dismiss Count III of his Third Amended Complaint against Outboard Marine Corporation and OMC Recreational Boat Group, Inc. *Pl's. Mot. to Dismiss Ct. III of his Third Am. Compl.* (Docket # 45). On March 17, 2011, Outboard Motor Marine Corporation and OMC Recreational Boat Group, Inc. objected. *Def's.' Mem. of Law in Resp. to Pl's. Mot. to Dismiss Count III of his Third Am. Compl.* (Docket # 46). On March 31, 2011, Mr. Hinton replied. *Pl's. Reply Mem. in Support of his Mot. to Dismiss Ct. III of his Third Am. Compl.* (Docket # 47).

The Court has reviewed the Defendants' objections to the dismissal of Count III with prejudice and concludes that their concerns are not well founded. The Court therefore GRANTS Plaintiff's Motion to Dismiss Count III of his Third Amended Complaint with prejudice (Docket # 45).

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 12th day of April, 2011