

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLANDCHAMBERS OF  
J. FREDERICK MOTZ  
UNITED STATES DISTRICT JUDGE101 WEST LOMBARD STREET  
BALTIMORE, MARYLAND 21201  
(410) 962-0782  
(410) 962-2698 FAX

June 4, 2015

MEMO TO COUNSEL RE: Jeremy Tucker v. Yangtze Railroad Materials, et al.  
Civil No. JFM-14-3813

Dear Counsel:

I have reviewed the memoranda submitted in connection with defendants' motion to dismiss first amended complaint. The motion (document 18) is granted in part and denied in part.

In essence, this is a breach of contract action. Therefore, the case should proceed against defendant Yangtze as to count I. Likewise, the case should proceed on the claim asserted in count II against Yangtze. Further, although it appears that any alleged fraud was committed after the contract was entered into, the allegations do provide a basis for plaintiff to proceed against both Yangtze and Mr. Young on count IV.

There is, however, no basis for plaintiff's wrongful termination claim against either defendant or against Mr. Young as to counts I and II.

A conference call will be held on June 17, 2015 at 4:30 p.m. to discuss the appropriate schedule in this case. I ask counsel for plaintiff to initiate the call.

Enclosed is a tentative scheduling order with approximate dates for your information. Please consult with one another before the call and be prepared to discuss whether you would like to participate in a settlement conference either before or after the completion of discovery, any changes to the dates in the form scheduling order, and whether there is unanimous consent to proceed before a U.S. Magistrate Judge for all proceedings.

Also enclosed is a letter regarding a call-in hour program for the resolution of discovery disagreements.

Despite the informal nature of this letter, it should be flagged as an opinion and docketed as an order.

Very truly yours,

/s/

J. Frederick Motz  
United States District Judge