

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(SOUTHERN DIVISION)**

**COSTAR REALTY INFORMATION and  
COSTAR GROUP, INC.**

**Plaintiff,**

**v.**

**ATKINSON HUNT, et al.**

**Defendants.**

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Civil No. PJM 06-655

**ORDER**

The Court considers Defendant Resource Realty’s Motion to Dismiss for Lack of Personal Jurisdiction, to Dismiss Complaint for Failure to State a Claim and/or to Transfer Venue [Paper No. 13] and Defendant Atkinson Hunt’s Motion to Dismiss [Paper No. 26]. Accordingly, for the reasons stated on the record, it is, this 28th day of August, 2006

ORDERED:

- 1) Said motions are GRANTED IN PART and DENIED IN PART;
- 2) Said motions are GRANTED insofar as Count II (Fraud by Defendants) is DISMISSED WITHOUT PREJUDICE. Plaintiffs are given 20 days leave to file an amended Count II in accord with Federal Rule of Civil Procedure 9(b);
- 3) In all other respects, said motions are DENIED;
- 4) A scheduling order shall promptly be entered herein.

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/s/  
**PETER J. MESSITTE**  
**UNITED STATES DISTRICT JUDGE**