

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

KEVIN J. NOVACK,
as representative of the former shareholders
of Retail Convergence, Inc.,

Plaintiff,

v.

GSI COMMERCE, INC., MICHAEL G.
RUBIN, NRG COMMERCE, LLC,
GIBRALTAR ACQUISITION CORP., and
EBAY INC.,

Defendants.

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Civil Action No. 11-11176-JLT

ORDER

October 6, 2011

TAURO, J.

For the reasons set forth in the accompanying memorandum, this court hereby orders that Plaintiff's Motion to Remand to Business Litigation Session of Suffolk Superior Court [#11] is ALLOWED IN PART and DENIED IN PART. The Motion for remand to Suffolk Superior Court is ALLOWED and the Motion for the awarding of costs and attorney fees is DENIED. IT IS SO ORDERED.

/s/ Joseph L. Tauro

United States District Judge