

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 14-13075-GAO

SHEPARD HOFFMAN,
Plaintiff,

v.

THE PENINSULA COUNCIL, INC.,
JOSEPH FISHER, MICHAEL RICHARDSON, FRANCES DREW,
JOHN FITZSIMMONS, SR., and WILLIAM GILLITT,
Defendants.

ORDER
August 11, 2015

O'TOOLE, D.J.

The plaintiff Shepard Hoffman brings this action against defendants Peninsula Council and five of its officers and members in their individual and corporate capacities. He seeks monetary and equitable relief on six state law claims for breach of contract and fiduciary duty, negligence, civil conspiracy, and fraud. The defendants have moved to dismiss.

On August 6, 2015, this Court held a hearing on the defendants' motion. Although some of the claims appear problematic, they are sufficiently pled such that dismissal at this stage would be premature. The parties shall have the opportunity to elucidate their claims and defenses through discovery.

The defendants' motion to dismiss (dkt. no. 22) is DENIED. The clerk is instructed to set the case for a scheduling conference.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
United States District Judge