

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ANDREW ZIMMERMANN and KELLY)	
ZIMMERMANN, as Class)	
Representatives for the)	
certified ZIMMERMANN ACTION)	
CLASSES,)	
Plaintiffs)	
)	
v.)	C.A. NO. 09-cv-30193-MAP
)	
Dominic Salzone;)	
GTG Enterprises, Ltd.;)	
Arthur Wobig; AVW, Inc.;)	
Kurt Meyer; Von Meyer, Ltd.,)	
Defendants)	

MEMORANDUM AND ORDER REGARDING
PLAINTIFFS' MOTION FOR RECONSIDERATION
REGARDING ORDER ON MOTION TO DISMISS
(Dkt. No. 15)

July 8, 2010

PONSOR, D.J.

This lawsuit was filed on November 10, 2009. On January 6, 2010, Defendants GTG Enterprises, Ltd. and Dominic Salzone (the Moving Defendants) filed a motion to dismiss (Dkt. No. 15.) The motion was allowed without opposition on January 28, 2010. On February 2, 2010, Plaintiffs moved for reconsideration of the order granting the motion to dismiss. (Dkt. No. 16.) The motion was opposed but was allowed on February 18, 2010. The court heard oral argument on the substantive motion to dismiss on June 6, 2010, at the same time that it heard oral argument

in the related case, Zimmermann et al. v. Epstein Becker and Green, P.C., et al., 09-cv-30194. Based on the reasons set forth today in the matter of Zimmermann v. Epstein Becker and Green, 09-cv-30194, the court will allow the Moving Defendants motion to dismiss.

The court will not dismiss the claims against the remaining four Defendants, who have not filed a motion to dismiss. It would appear, based on the reasons set forth today in Zimmermann et al. v. Epstein Becker and Green, P.C., et al., 09-cv-30194, that those claims should logically be dismissed as well. However, the court will not dismiss them sua sponte.

The Motion to Dismiss is hereby ALLOWED.

It is So Ordered.

/s/ Michael A. Ponsor
MICHAEL A. PONSOR
U. S. District Judge