

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GILBERT MCFADDEN,

Plaintiff,

vs.

Case No. 10-CV-14457  
HON. GEORGE CARAM STEEH

FUYAO NORTH AMERICA INC., *et al.*,

Defendants.

\_\_\_\_\_ /

ORDER DENYING WITHOUT PREJUDICE DEFENDANT FUYAO GLASS INDUSTRY  
GROUP LIMITED'S MOTION TO DISMISS [#2]

The court having heard argument this date on defendant Fuyao Glass Industry Group Limited's motion to dismiss finds the complaint filed by plaintiff to be deficient for the reasons stated on the record, accordingly,

Plaintiff shall file a third amended complaint within forty-five (45) days of the date of this order.

Plaintiff shall promptly comply with the terms of the Hague Convention in effecting service of process of the summons and a copy of the third amended complaint upon defendant Fuyao Glass Industry Group Limited.

Defendant Fuyao Glass Industry Group Limited's motion to dismiss is DENIED without prejudice.

The parties shall be permitted discovery related to the issues of service of process and personal jurisdiction as of the entry of this order.

Defendant Fuyao Glass Industry Group Limited may renew its motion to dismiss plaintiff's third amended complaint.

SO ORDERED.

Dated: January 24, 2011

S/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on January 24, 2011, by electronic and/or ordinary mail.

S/Josephine Chaffee  
Deputy Clerk