

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

THOMPSON, I.G., L.L.C.,

Case No. 11-12839

Plaintiff/ Counter-Defendant,

v.

HON. AVERN COHN

EDGETECH, I.G., INC.,

Defendant/ Counter-Plaintiff.

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**ORDER DISMISSING COUNT II OF FIRST AMENDED COMPLAINT AND  
DENYING DISMISSAL OF CLAIM OF CONSEQUENTIAL DAMAGES (DOC. 12)**

This is a contract case arising out of the sale of a thermal window sealer. For the reasons stated on the record at the hearing held on October 26, 2011, defendant's motion to dismiss Count II, Breach of Implied Warranty, of the first amended complaint is **GRANTED**. Defendant's motion to dismiss plaintiff's request for relief as to consequential and incidental damages is **DENIED**.

**SO ORDERED.**

Dated: October 27, 2011

S/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, October 27, 2011, by electronic and/or ordinary mail.

S/Julie Owens  
Case Manager, (313) 234-5160