## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

INNOVATION VENTURES, LLC,

Plaintiff,	Civil Action No. 12-CV-13850
vs.	HON. BERNARD A. FRIEDMAN
CUSTOM NUTRITION LABORATORIES, LLC, NUTRITION SCIENCE LABORATORIES, LLC, and ALAN JONES,	
Defendants.	
ORDER DENYING WITHOUT PREJUDICE PLAINTIFF'S MOTION TO DISMISS DEFENDANTS' COUNTERCLAIMS	
On January 14, 2013, plaintiff filed a motion to dismiss defendants' counterclaims	
[docket entry 51]. On February 4, 2013, defendants filed amended counterclaims [docket entries	

63, 64]. As the amended counterclaims make significantly different allegations and claims as compared to the original counterclaims, plaintiff's motion to dismiss must be denied as moot. Within the time limits of Fed. R. Civ. P. 12, plaintiff may file a renewed motion to dismiss that

SO ORDERED.

addresses the amended counterclaims.

Dated: February 7, 2013 s/ Bernard A. Friedman
BERNARD A. FRIEDMAN

SENIOR UNITED STATES DISTRICT JUDGE

I hereby certify that the foregoing document was sent to parties of record electronically or by ordinary mail February 7, 2013.

s/ Michael Williams
Relief Case Manager for the Honorable
Bernard A. Friedman