

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

VICTOR E. CLARK, JR.

PLAINTIFF

v.

CIVIL ACTION NO. 2:16-CV-121-KS-MTP

**SONG HEALTH & REHAB OF COLUMBIA, LLC
D/B/A SONG HEALTH & REHAB OF
COLUMBIA; COVENANT DOVE, LLC; and
COVENANT DOVE HOLDING COMPANY, LLC**

DEFENDANTS

ORDER

This matter is before the Court on the Motion to Dismiss Plaintiff's Fraud Claim & All Claims Against the Covenant Dove Defendants ("Motion to Dismiss") [18] filed by Defendants Covenant Dove Holding Company, LLC, Covenant Dove, LLC, and Song Health & Rehab of Columbia, LLC. The Court previously deferred in part this motion after finding deficiencies in Plaintiff's fraud pleadings and gave Plaintiff two weeks to file an amended complaint that cured these deficiencies. Finding that the Amended Complaint [30] filed by Plaintiff meets the requirements of Federal Rule of Civil Procedure 9(b), the Court will **deny** the deferred portions of the Motion to Dismiss [18].

IT IS THEREFORE ORDERED AND ADJUDGED that the deferred portions of the Motion to Dismiss [18] are **denied**.

SO ORDERED AND ADJUDGED, on this, the 29th day of March, 2017.

s/Keith Starrett
KEITH STARRETT
UNITED STATES DISTRICT JUDGE