

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

JOSEPH W. HIGGINS

Plaintiff,

v.

EBAY, INC., and PAYPAL, INC.,

Defendants.

Civ. Action No. 09-5341 (KSH)

**ORDER**

**KATHARINE S. HAYDEN, U.S.D.J.**

This matter having come before the Court by way of a motion to dismiss by defendants eBay, Inc., and PayPal, Inc., [D.E. 21]; and the Court having previously issued an order requiring the parties to show cause why this matter should or should not be dismissed for lack of subject matter jurisdiction [D.E. 45]; and the Court having considered the parties' arguments and written submissions, and for the reasons stated in the Court's Opinion filed herewith,

**IT IS** on this 31st day of March, 2011,

**ORDERED** that the complaint is **dismissed** for lack of subject matter jurisdiction.

/s/ Katharine S. Hayden  
Katharine S. Hayden, U.S.D.J.