

CLOSED

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TULLETT PREBON, PLC,

Plaintiff,

v.

BGC PARTNERS, INC.,

Defendant.

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Civil Action No. 09-5365 (SRC)

ORDER

CHESLER, District Judge

This matter having come before the Court upon the motion filed by Defendant BGC Partners, Inc. to dismiss the First Amended Complaint [docket entry 35]; and Plaintiff Tullett Prebon, plc having opposed the motion; and the Court having considered the papers filed by the parties in connection with this motion and choosing to rule based thereon pursuant to Federal Rule of Civil Procedure 78; and for the reasons expressed in the Opinion filed herewith; and good cause shown,

IT IS on this 18th day of June, 2010,

ORDERED that Defendant BGC Partners, Inc.'s motion to dismiss [docket entry 35] be and hereby is **GRANTED**; and it is further

ORDERED that the First Amended Complaint be and hereby is **DISMISSED WITH PREJUDICE** pursuant to Federal Rule of Civil Procedure 12(b)(1) and Federal Rule of Civil Procedure 12(b)(7).

s/ Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge