NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MARY CUDJOE,

Plaintiff,

v.

VENTURES TRUST 2013 I-H-R BY MCM CAPITAL PARTNERS, LLLP f/k/a MCM CAPITAL PARTNERS, LLC, *et al.*,

Defendants.

WILLIAM BRAUKMANN, and KIMBERLY BRAUKMANN,

Third-Party Plaintiffs,

v.

FAY SERVICING, *et al.*,

Third-Party Defendants.

Civ. No. 18-10158

MEMORANDUM ORDER

THOMPSON, U.S.D.J.

IT APPEARING that Defendant Ventures Trust 2013 I-H-R by MCM Capital Partners, LLLP, formerly known as MCM Capital Partners, LLC ("Ventures Trust"), files a Motion to Dismiss Plaintiff's Second Amended Complaint (ECF No. 72); and it further

APPEARING that the arguments made by Defendant Ventures Trust in the pending Motion have already been addressed by the Court when deciding whether to dismiss the First Amended Complaint (Op. at 8–10, ECF No. 63 (dismissing conspiracy claim but not New Jersey Consumer Fraud Act claim)); and it further

APPEARING that the substance of the Second Amended Complaint is comparable to the

First Amended Complaint for the purposes of this Motion (*compare*, *e.g.*, 2d Am. Compl. ¶¶ 88–97, ECF No. 79, *with* 1st Am. Compl. ¶¶ 94–98, ECF No. 54 (conspiracy claim)), making the Court's prior reasoning applicable to the present Motion;

IT IS on this 22nd day of July, 2019,

ORDERED that Defendant Ventures Trust's Motion to Dismiss the Second Amended Complaint (ECF No. 72) is GRANTED IN PART and DENIED IN PART; and it is further

ORDERED that the Second Amended Complaint (ECF No. 79) is DISMISSED as to Defendant Ventures Trust on Count Five (conspiracy) (2d Am Compl. ¶¶ 88–97).

/s/ Anne E. Thompson
ANNE E. THOMPSON, U.S.D.J.