

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

CHILE RIVER, INC. MARK FRANZOY,  
and WILLIAM FRANZOY,

Plaintiffs/Counter-Defendants,

v.

Civ. No. 16-866 KG/GJF  
Consolidated with Civ. No. 16-867 KG/GJF  
and Civ. No. 16-868 KG/GJF

LOCKHART SEEDS, INC.,

Defendant/Counter-Plaintiff,

and

KAMTERTER PRODUCTS, LLC,

Defendant.

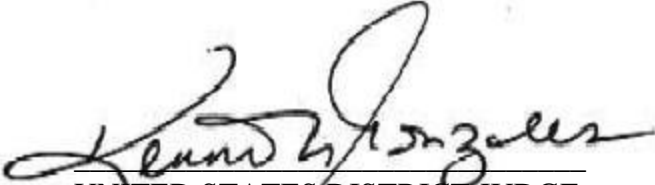
ORDER

This matter comes before the Court upon Defendant Kamterter Products, LLC's Motion to Dismiss, filed December 8, 2017. (Doc. 44). Plaintiffs filed a response on May 15, 2018, and Defendant Kamterter Products, LLC (Kamterter) filed a reply on June 5, 2018. (Docs. 74 and 80).

On December 21, 2018, the Court held a telephonic hearing on the Motion to Dismiss to announce its ruling on the Motion. At the telephonic hearing, Casey Stevenson represented Plaintiffs, A. Blair Dunn represented Lockhart Seeds, Inc., and Laura Ackermann represented Kamterter.

Having considered the Motion to Dismiss and the accompanying briefing, and for the reasons stated on the record at the December 21, 2018, telephonic hearing,

IT IS ORDERED that Defendant Kamterter Products, LLC's Motion to Dismiss (Doc. 44) is denied.

  
UNITED STATES DISTRICT JUDGE