

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                      |   |                 |
|----------------------|---|-----------------|
| -----                | X |                 |
| MARKETSHARE CORP.,   | : |                 |
|                      | : | 21-cv-750 (JSR) |
| Plaintiff,           | : |                 |
|                      | : |                 |
| -v-                  | : | <u>ORDER</u>    |
|                      | : |                 |
| TRANSACTIS, INC. and | : |                 |
| MASTERCARD, INC.     | : |                 |
|                      | : |                 |
| Defendants.          | : |                 |
|                      | : |                 |
| -----                | X |                 |

JED S. RAKOFF, U.S.D.J.

Plaintiff MarketShare Corporation ("MarketShare") brings this complaint against defendants Transactis, Inc. ("Transactis") and Mastercard, Inc. ("Mastercard") alleging that the defendants have wrongfully refused to issue shares of common stock of Transactis in breach of a stock option agreement and that Transactis fraudulently misrepresented the fair market value and exercise price of the stock options. The defendants have moved to dismiss the complaint pursuant to Fed. R. Civ. P. 12(b)(6). Upon consideration, that motion is granted. A memorandum explaining the reasons for this ruling will issue in due course, at which time judgment will be entered dismissing the complaint. In the meantime, the case is stayed in all respects. The Clerk of the Court is directed to close the entry at docket number 15.

SO ORDERED.

Dated: New York, NY  
April 26, 2021



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JED S. RAKOFF, U.S.D.J.