

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEFFREY T. ALBANEZE, ET AL.,

Plaintiffs,

- against -

BDO USA, P.A.,

Defendant.

23-cv-7197 (JGK)


ORDER

JOHN G. KOELTL, District Judge:

For the reasons stated on the record today, the plaintiffs' motion to dismiss the counterclaims is **granted in part and denied in part**. The defendant's claim for breach of contract is **dismissed without prejudice** as premature, and defendant's prayer for injunctive relief is **stricken** without prejudice to defendant's ability to replead a claim for injunctive relief. The plaintiffs' motion to dismiss the remaining counterclaims is **denied**. The Clerk is directed to close ECF No. 43.

SO ORDERED.

Dated: New York, New York
July 24, 2024



John G. Koeltl
United States District Judge