

IN THE UNITED STATES DISTRICT COURT  
 FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
 EASTERN DIVISION  
 No. 4:12-CV-301-D

MAINSTREET COLLECTION, INC., )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 KRISTEN ALDERMAN, )  
 RANDY ELLER, )  
 ELLER ENTERPRISES, LLC, )  
 GEORGE KACIC, GIFTCRAFT, INC., )  
 and GIFTCRAFT, LTD., )  
 Defendants. )

**ORDER**

On February 21, 2014, this court held a hearing on defendants George Kacic, Giftcraft, Inc., and Giftcraft, Ltd.’s (collectively, “the Giftcraft defendants”) motion to dismiss for lack of personal jurisdiction [D.E. 40], defendant Kristen Alderman and the Giftcraft defendants’ motion to dismiss for failure to state a claim [D.E. 44], and defendants Randy Eller and Eller Enterprises, LLC’s motion to dismiss for failure to state a claim [D.E. 51]. During the hearing, the court ruled from the bench.

For the reasons stated in open court and incorporated herein by reference, the court GRANTS the Giftcraft defendants’ motion to dismiss for lack of personal jurisdiction [D.E. 40], GRANTS IN PART AND DENIES IN PART Alderman and the Giftcraft defendants’ motion to dismiss for failure to state a claim [D.E. 44], and GRANTS Eller and Eller Enterprises, LLC’s motion to dismiss for failure to state a claim [D.E. 51]. The following claims against Alderman remain: breach of contract (violation of employment agreement) (claim 6); breach of contract (implied covenant of good faith and fair dealing) (claim 7); misappropriation of trade secrets (statutory and common law) (claim 10);

conversion (claim 11); computer trespass (claim 12); and unfair and deceptive trade practices (claim 13). See First Amended Complaint [D.E. 25] ¶¶ 96–106, 117–139. The Giftcraft defendants, Randy Eller, and Eller Enterprises, LLC are DISMISSED as defendants.

SO ORDERED. This 21 day of February 2014.

  
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JAMES C. DEVER III  
Chief United States District Judge