

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:16-CV-889-D

OPTIMA TOBACCO CORPORATION, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 U.S. FLUE-CURED TOBACCO )  
 GROWERS, INC., and UETA, INC., )  
 )  
 Defendants. )

**ORDER**

The court has considered the complaint, and each defendant's motion to dismiss under the governing standard. See [D.E. 18, 31]; Fed. R. Civ. P. 12(b)(6). The motions to dismiss [D.E. 18, 31] are DENIED. Whether plaintiff will survive a motion for summary judgment is an issue for another day.

SO ORDERED. This 10 day of April 2017.

  
\_\_\_\_\_  
JAMES C. DEVER III  
Chief United States District Judge