

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

HEALTH & BEAUTY TECHNOLOGIES,)
INC and MEDI-BUILD)
INTERNATIONAL, CORP.)
Plaintiffs,)

v.)

MERZ PHARMA GmbH KgaA and)
MERZ NORTH AMERICA, INC.)
Defendants.)

JUDGMENT

No. 7:18-CV-117-FL

Decision by Court.

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of defendant Merz North America, Inc.'s motion to dismiss for failure to state a claim and Merz Pharma GmbH KgaA's motion to dismiss for lack of personal jurisdiction.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered September 26, 2019, and for the reasons set forth more specifically therein, defendant Merz Pharma's motion to dismiss for lack of personal jurisdiction is DENIED and defendant Merz NA's motion to dismiss for failure to state a claim, in which Merz Pharma joins, is GRANTED. Plaintiff's complaint is DISMISSED WITH PREJUDICE.

This Judgment Filed and Entered on September 26, 2019, and Copies To:

Christopher S. Edwards / Donalt J. Eglinton / John A. Moore / Aaron W. Tandy (via CM/ECF Notice of Electronic Filing)

Michael Neil Kreitzer / Michael E. Strauch / Pamela J. Butler / Henry L. Kitchin, Jr. / Lori P. Lustrin / James J. Ward (via CM/ECF Notice of Electronic Filing)

September 26, 2019

PETER A. MOORE, JR., CLERK

/s/ Sandra K. Collins
(By) Sandra K. Collins, Deputy Clerk