


**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

LBA PRODUCTS, LLC, et al.,)	CASE NO. 1:08 CV 493
)	
Plaintiff,)	
)	
v.)	JUDGE DONALD C. NUGENT
)	
WEBIMAGE 2000, INC., et al.,)	
)	
Defendants,)	
)	
v.)	
)	
ALEX BELFER,)	
)	
Third-Party Defendant.)	<u>MEMORANDUM OPINION</u>
)	<u>AND ORDER</u>

This matter is before the Court on Defendants' Motion to Dismiss the Claims Filed by New Party Plaintiffs Action Software, Inc. and Alex Belfer or, in the Alternative, for a More Definite Statement. (Docket #14.) Defendants move this Court for an Order, pursuant to Civil Rules 12(b)(6), 17(a), 17(b) and 12(e), dismissing certain claims in Plaintiffs' Second Amended Complaint for failure to state a claim upon which relief can be granted. Plaintiffs oppose said Motion in its entirety.

The Court has thoroughly reviewed Plaintiffs' Second Amended Complaint, as well as the briefs of the Parties and the procedural history in this matter. Assuming for purposes of this Motion that the allegations raised in the Second Amended Complaint are true, Plaintiffs' Second Amended Complaint sufficiently establishes the basis of Plaintiffs' claims and provides the grounds for entitlement to relief. Accordingly, Defendants' Motion to Dismiss the Claims Filed by New Party Plaintiffs Action Software, Inc. and Alex Belfer or, in the Alternative, for a More Definite Statement (Docket #14), is hereby DENIED. Defendants' Motion for a More Definite Statement is hereby DENIED.

IT IS SO ORDERED.


DONALD C. NUGENT
United States District Judge

DATED: 