

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**THE REYNOLDS & REYNOLDS  
COMPANY,**

**Plaintiff,**

**Case No. 1:12-cv-848**

**Judge Thomas M. Rose**

**-v-**

**SUPERIOR INTEGRATED SOLUTIONS,  
INC.,**

**Defendant.**

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**ENTRY AND ORDER OVERRULING REYNOLDS' MOTION TO DISMISS (Doc. #21)  
WITHOUT PREJUDICE AND OVERRULING SIS'S EMERGENCY MOTION FOR A  
PRELIMINARY INJUNCTION (Doc. #24) WITHOUT PREJUDICE**

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The Complaint in this matter was originally filed at the Southern District of Ohio's Court in Cincinnati. (Doc. #1.) Superior Integrated Solutions ("SIS") answered and counterclaimed.

This case was then transferred to Judge Rose in Dayton as a related case. (Doc. #17.) On February 7, 2013, The Reynolds & Reynolds Company ("Reynolds") filed a Motion To Dismiss SIS's original Counterclaims (doc. #21) followed by the filing of an Amended Complaint (doc. #22).

On February 21, 2013, SIS answered Reynolds' Amended Complaint without reasserting counterclaims. (Doc. #23.) On February 25, 2013, SIS filed a Emergency Motion for a Preliminary Injunction. (Doc. #24.) Then, on February 28, 2013, SIS filed an Amended Counterclaim. (Doc. #25.)

In sum, now before the Court to be adjudicated is Reynolds' Amended Complaint and SIS's Amended Counterclaim. However, because SIS's original counterclaim has been amended,

Reynolds' Motion To Dismiss SIS's original counterclaim is no longer relevant. Also, because SIS's counterclaim has been amended, SIS's Emergency Motion for a Preliminary Injunction involving its original counterclaim is no longer relevant. Therefore, Reynolds' Motion To Dismiss SIS's counterclaims is overruled without prejudice to renewal because it is moot, and SIS's Emergency Motion for a Preliminary Injunction is overruled without prejudice to renewal because it too is moot.

**DONE** and **ORDERED** in Dayton, Ohio this First day of March, 2013.

**s/Thomas M. Rose**

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THOMAS M. ROSE  
UNITED STATES DISTRICT

JUDGE

Copies furnished to:

Counsel of Record