

Plan (the “Plan”). The motion is **GRANTED** to the extent that the claim seeks to recover for breach of fiduciary duties owed to the Plan’s participants;

- (3) defendant John Jason Bish’s motion for judgment on the pleadings as to Count III (docket no. 20) is **DISMISSED AS MOOT**.

s/ William H. Yohn Jr., Judge
William H. Yohn Jr., Judge