

(Document No. 75, filed June 28, 2010); Answer to Second Motion for Summary Judgment of Defendant Robert McCue (Document No. 76, filed July 22, 2010); and Defendant, Robert McCue's Reply Brief in Support of His Motion for Summary Judgment (Document No. 80, filed Aug. 12, 2010), for the reasons set forth in the Memorandum dated January 19, 2011, **IT IS ORDERED AS FOLLOWS:**

1. Defendant MDC Systems Corp., LLC's Motion for Summary Judgment is **GRANTED** as it relates to Count I of the Fourth Amended Complaint, and **DENIED** in all other respects;
2. Defendants MDC Systems Enterprises LLC's and MDC Systems Enterprises LLC Series A's Motion for Summary Judgment is **GRANTED**; and
3. Defendant Robert McCue's Motion for Summary Judgment is **GRANTED**.

BY THE COURT:

/s/ Hon. Jan E. DuBois

JAN E. DUBOIS, J.