



with Defendants' Reply to the Motion to Dismiss;

- (2) Plaintiffs' Motion for Remand is **DENIED**; and
- (3) Defendants' Motion to Dismiss is **GRANTED IN PART** and **DENIED IN PART**. It is **FURTHER ORDERED** that Count I of the Complaint is **DISMISSED WITHOUT PREJUDICE** against Defendants Bill Boak and Claudia Eaton and that Count V of the Complaint is **DISMISSED WITHOUT PREJUDICE** against all Defendants. The Motion to Dismiss is **DENIED** in all other respects.

BY THE COURT:

/s/ Robert F. Kelly  
ROBERT F. KELLY  
SENIOR JUDGE