

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**TOSHIBA AMERICA MEDICAL  
SYSTEMS, INC.,  
Plaintiff**

v.

**TSIC ACQUISITION, L.P., et al.,  
Defendants**

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**CIVIL ACTION  
10-7017**

**ORDER**

**AND NOW**, this 13<sup>th</sup> day of July, 2011, upon review of Moving Defendants' Motion to Dismiss [Doc. No. 6] and Plaintiff's opposition to that Motion [Doc. No. 11 and 12], and for the reasons set forth in the attached memorandum opinion, it is hereby **ORDERED** that Moving Defendants' Motion to Dismiss is **GRANTED IN PART** and **DENIED IN PART**. It is **GRANTED** as to the claims against Limited Partners Michael R Clair, M.D., William H. Hartz, M.D., Philip J. Moldofsky, M.D., Jay S. Rosenblum, M.D., Kenneth E. Brumberger, M.D., and Michael Carr, and **DENIED** as to the claims against TSIC Acquisition GP, Inc.

Plaintiff may amend its Complaint to cure deficiencies in its claims against the Limited Partners within twenty-one (21) days of the date of this Order.

It is so **ORDERED**.

**BY THE COURT:**

/s/ **Cynthia M. Rufe**

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**CYNTHIA M. RUFÉ, J.**