

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

**NICHOLAS KNOPICK, individually and  
on behalf of those similarly situated,**

**Plaintiff,**

v.

**UBS FINANCIAL SERVICES, INC.,**

**Defendant.**

**CIVIL ACTION  
NO. 14-05639**

**ORDER**

AND NOW, this 18th day of August, 2015, upon consideration of Defendant UBS Financial Services, Inc.'s Motion to Dismiss (ECF No. 39), Plaintiff Nicholas Knopick's Response in Opposition (ECF No. 48), Defendant's reply (ECF No. 53), Plaintiff's sur reply (ECF No. 61), and counsels' arguments at a hearing held on July 15, 2015, it is **ORDERED** that Defendant's motion is **GRANTED**. It is further **ORDERED** that:

1. Counts I-VII are dismissed without prejudice;
2. Plaintiff may file a second amended complaint reasserting the claims in Counts I-VII as a federal securities law class action on or before September 8, 2015;
3. Counts VIII-IX are dismissed with prejudice.

BY THE COURT:

/s/ Gerald J. Pappert  
GERALD J. PAPPERT, J.