

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

DEIRDRE GARCIA.

v.

C.A. NO. 15-2392

SCIENTIFIX, LLC.,  
GEORGE LYNCH

**ORDER**

AND NOW, this 1<sup>st</sup> day of February, 2016, upon consideration of the defendants' motion to dismiss and all responses and replies thereto, it is hereby ORDERED that the motion to dismiss [Doc. 6] is GRANTED in part and DENIED in part.

It is further ORDERED that the motion is GRANTED as to Count II and DENIED as to Counts I and III.

It is further ORDERED that Count II is DISMISSED with prejudice.

BY THE COURT:

/s/ Jeffrey L. Schmehl  
JEFFREY L. SCHMEHL, J.