

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

**CLIVE BARON,**  
Plaintiff,

v.

**ABBOTT LABORATORIES,**  
Defendant.

**CIVIL ACTION**

**NO. 16-2736**

**ORDER**

**AND NOW**, this 15th day of February, 2017, upon consideration of defendant's Motion to Dismiss Plaintiff's Complaint (Document No. 5, filed Aug. 29, 2016), and Plaintiff's Memorandum of Law in Opposition to Defendant's Motion to Dismiss (Document No. 11, filed Sept. 15, 2016), for the reasons set for in the accompanying Memorandum dated February 15, 2017, **IT IS ORDERED** that defendant's Motion to Dismiss Plaintiff's Complaint is **DENIED**.

**IT IS FURTHER ORDERED** that a Preliminary Pretrial Conference will be scheduled in due course.

**BY THE COURT:**

/s/ **Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**