VANTAGE LEARNING (USA), LLC v. EDGENUITY, INCORPORATED Doc. 24

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

VANTAGE LEARNING USA, LLC	:	
Plaintiff,	:	
	:	
v.	:	**CIVIL ACTION NO. 16-4983**
	:	
EDGENUITY, INCORPORATED	:	
Defendant.	:	

ORDER

AND NOW, this 30th day of March 2017, upon consideration of Defendant's Motion to Dismiss Counts II, III, and IV of Plaintiff's Second Amended Complaint (Doc. No. 17), the briefing in support thereof, and the response thereto, it is hereby **ORDERED** that the motion is **GRANTED** for the reasons set forth in the accompanying memorandum opinion. Counts II and III of the Second Amended Complaint are **DISMISSED WITH PREJUDICE**, and Count IV is **DISMISSED WITH PREJUDICE** to the extent Plaintiff seeks statutory damages and counsel fees.

Defendant will **ANSWER** the remaining claim in the Second Amended Complaint no later than **April 14, 2017.**

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFE, J.

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