

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

<b>FRANCISCO MEDERO</b>  v.  <b>NBC MERCHANTS, INC. d/b/a T.J. Maxx of Pittston Distribution Center</b>	<b>CIVIL ACTION</b>  <b>NO. 16-6583</b>
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**ORDER RE: MOTION TO DISMISS**

AND NOW, this 3<sup>rd</sup> of August, 2017, having considered the Motion to Dismiss of Defendant NBC Merchants, Inc. (ECF 7), and all responses and replies thereto, and for the reasons explained in the foregoing Memorandum, it is hereby ORDERED that the motion is GRANTED and Plaintiff Francisco Medero's Amended Complaint (ECF 6) is dismissed without prejudice, with leave to amend.

**BY THE COURT:**

/s/ **Michael M. Baylson**

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**Michael M. Baylson, U.S.D.J.**