

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

<p>ENDO PHARMACEUTICALS INC.,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>CINDY FRYER,</p> <p style="text-align: center;">Defendant.</p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p>CIVIL ACTION</p> <p>NO. 17-2245</p>
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ORDER

AND NOW this 14th day of August, 2020, **IT IS HEREBY ORDERED AND DECREED** as follows:

1. Endo Pharmaceuticals’ Motion to Dismiss Seven of Defendant’s Eight Counterclaims in her Third Amended Answer (ECF No. 38) is **GRANTED IN PART** and **DENIED IN PART**;¹
2. Endo Pharmaceuticals’ Motion for Leave to File a Reply Brief in Support of its Motion to Dismiss (ECF No. 41) is **GRANTED**;
3. Karen Wallace’s Motion to Join Counterclaim Defendant Larry Smith’s Motion to Dismiss (ECF No. 44) is **GRANTED**;
4. Smith’s Motion to Dismiss Count Eight of Third Amended Answer and Counterclaims (ECF No. 43) is **DENIED**.

¹ The Motion to Dismiss is **GRANTED** in full for counterclaim count three, and in part for counterclaim counts five, six, and seven. The counterclaims dismissed, are dismissed with prejudice since Plaintiff has taken multiple opportunities to amend her claims. The Motion to Dismiss is **DENIED** for counterclaim counts two, four, and eight. This Order is accompanied by the Court’s August 14, 2020 Memorandum Opinion regarding this motion.

IT IS FURTHER ORDERED that, upon consideration of Cindy Fryer's July 30, 2020 request for a discovery extension, that the Amended Scheduling Order (ECF Nos. 52 and 54) shall be amended as follows:

1. Fact discovery shall be completed by **Wednesday, September 16, 2020**;
2. Motions for Summary Judgment shall be submitted to the Court by **Friday, October 30, 2020**;
3. The trial pool date is set for **Monday, January 11, 2021**.

BY THE COURT:

/s/ Petrese B. Tucker

Hon. Petrese B. Tucker, U.S.D.J