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

ADAM WAINBERG,
Plaintiff,

v.

DIETZ & WATSON, INC.
Defendant.

CIVIL ACTION
NO. 17-2457

## ORDER

AND NOW, this 28th day of November, 2017, upon consideration of defendant Dietz & Watson, Inc.'s Motion to Dismiss Plaintiff's First Amended Complaint (Doc. No. 12) and plaintiff's Memorandum of Law in Opposition to Defendant's Motion to Dismiss Plaintiff's First Amended Complaint (Doc. No. 13), for the reasons stated in the accompanying Memorandum dated November 28, 2017, IT IS ORDERED that defendant's Motion to Dismiss Plaintiff's First Amended 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

DuBOIS, JAN E., J.