

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

PROTICA, INC.)	
)	
Plaintiff)	Civil Action
)	No. 2011-cv-01105
v.)	
)	
iSATORI TECHNOLOGIES, LLC)	
)	
Defendant)	

O R D E R

Now, this 29th day of March, 2012, upon consideration of the following:

- (1) Plaintiff's Motion to Dismiss Count IV of Defendant's Amended Counterclaim Pursuant to Fed.R.Civ.P. 12(b)(6), which motion was filed June 30, 2011 (Document 21); together with,
 - (a) Memorandum of Law in Support of Plaintiff's Motion to Dismiss Count IV of Defendant's Amended Counterclaim Pursuant to Fed.R.Civ.P. 12(b)(6) (Document 21);
- (2) iSatori Technologies, LLC's Response to Plaintiff's Motion to Dismiss Count IV of the Counterclaim, which response was filed July 25, 2011 (Document 23); together with,
 - (a) Memorandum of Law in Support of iSatori Technologies, LLC's Response to Plaintiff's Motion to Dismiss Count IV of the Counterclaim (Document 23);
- (3) Plaintiff's Memorandum of Law in Reply to Defendant's Opposition to Plaintiff's Motion to Dismiss, which memorandum was filed with leave of court on August 3, 2011 (Document 26); and
- (4) iSatori Technologies, LLC's Surreply in Support of Its Opposition to Plaintiff's Motion to Dismiss Count IV of the Counteclaim, which surreply was filed with leave of court on August 15, 2011 (Document 30);

and for the reasons discussed in the accompanying Opinion,

IT IS ORDERED that the motion of plaintiff Protica, Inc. to dismiss Count IV of the Amended Counterclaim of defendant iSatori Technologies, LLC is granted.

IT IS FURTHER ORDERED that Count IV of the Amended Counterclaim filed by defendant iSatori Technologies, LLC is dismissed.

BY THE COURT:

/s/ James Knoll Gardner
James Knoll Gardner
United States District Judge