

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

<b>ROGER PARKS, Individually,</b>	:	<b>CIVIL ACTION</b>
<b>and on Behalf of All Others</b>	:	
<b>Similarly Situated,</b>	:	
<b>Plaintiffs</b>	:	
	:	
<b>vs.</b>	:	<b>NO. 13-4425</b>
	:	
<b>ZAYO BANDWIDTH, LLC, et al.,</b>	:	
<b>Defendants</b>	:	

**ORDER**

**AND NOW**, this 10th day of February, 2016, upon careful consideration of Defendant Zayo’s motion to dismiss (Document #31), the plaintiff’s response thereto (Document #52), Defendant Zayo’s reply brief (Document #65), and after a hearing on the motion, **IT IS HEREBY ORDERED** that the motion is **GRANTED** in its entirety.

**BY THE COURT:**

/s/ Lawrence F. Stengel  
**LAWRENCE F. STENGEL, J.**