

MARIBEL ROSARIO, et al., :

individually and on behalf of similarly :

situated employees, :

:

Plaintiffs, :

:

v. :

:

FIRST STUDENT MANAGEMENT :

LLC, and FIRST STUDENT, INC., :

:

Defendants. :

CIVIL ACTION

NO. 15-6478

ORDER

AND NOW, this 15th day of August, 2016, upon consideration of the defendants' motion to dismiss for failure to state a claim (Doc. No. 2), the plaintiffs' response (Doc. No. 8), the defendants' reply (Doc. No. 11), **IT IS HEREBY ORDERED** that:

1. The defendants' motion to dismiss (Doc. No. 8) is **GRANTED**.
2. Count I of the plaintiffs' complaint is **DISMISSED with prejudice**.
Counts II, III and IV of the plaintiffs' complaint are **DISMISSED without prejudice**.
3. The plaintiffs shall file an amended complaint within thirty (30) days of the date of this Order.

BY THE COURT

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