

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

AGRI-MARKETING, INC., *doing business as* :
 USA GYPSUM, :
 :
 Plaintiff, :
 :
 v. :
 PROTERRA SOLUTIONS, LLC; :
 STANLEY GIBSON; DEDORAH GIBSON; and :
 MARK LAFON, :
 Defendants. :

No. 5:17-cv-00627

ORDER

AND NOW, this 20th day of March, 2018, upon consideration of Defendants’ Motion to Dismiss, ECF No. 14, and for the reasons set forth in the Opinion issued this date, it is **ORDERED** that Defendants’ Motion, ECF No. 14, is **GRANTED in part and DENIED in part** as follows:

1. Defendants’ motion to dismiss the Second Amended Complaint for improper venue is **DENIED**;
2. Defendants’ Motion to dismiss Counts III, IV, and V of the Second Amended Complaint is **GRANTED** and the claims alleged in those counts are **DISMISSED** with prejudice;
3. Plaintiff’s request for “fees” is **STRICKEN**.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
 JOSEPH F. LEESON, JR.
 United States District Judge