LUTZ v. RAKUTEN, INC. et al Doc. 52

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

ZACHARY LUTZ, *Plaintiff,*	:	**CIVIL ACTION**
v.	:	
RAKUTEN, INC., ***et al.,*** *Defendants.*	:	**No. 17-3895**

ORDER

AND NOW, this **22nd** day of **April 2019**, upon consideration of Defendants' Motion to Dismiss (ECF No. 42), Plaintiff's Response thereto (ECF No. 44), Defendants' Reply (ECF No. 45), and Plaintiff's Sur-Response (ECF No. 48), and in conjunction with the Court's accompanying Opinion, it is hereby **ORDERED** as follows:

1. Defendants' Motion to Dismiss (ECF No. 42) is **DENIED IN PART** and **GRANTED IN PART**;
2. Defendants' Motion to Dismiss is **GRANTED** as to Defendant, Rakuten, Inc., only. Therefore, Rakuten, Inc. is **DISMISSED** from the instant action;
3. Defendants' Motion to Dismiss is **DENIED** as to Defendant, Rakuten Baseball, Inc.
4. Rakuten Baseball, Inc. must file an answer to Plaintiff's Complaint on or before May 6, 2019.

BY THE COURT:

CHAD F. KENNEY, JUDGE

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