

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

JODY FINEFROCK, JULIA	:	Civil No. 1:16-cv-1221
FRANCIS, and SUSAN BARNINGER,	:	
individually and on behalf of a	:	
collective of others similarly-situated,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
FIVE GUYS OPERATIONS, LLC,	:	
	:	
Defendant.	:	Judge Sylvia H. Rambo

ORDER

In accordance with the accompanying memorandum of law (Doc. 28), **IT IS HEREBY ORDERED** that Defendant’s motion to dismiss Count I of the complaint (Doc. 18) is **DENIED**. The parties shall submit a new joint case management plan no later than April 10, 2017.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: March 31, 2017