

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

RYNONE MANUFACTURING	:	Civil Action No. 4:13-CV-0671
CORP.,	:	
	:	
Plaintiff,	:	(Judge Brann)
	:	
v.	:	
	:	
SCOTT SULZBACH,	:	
	:	(Magistrate Judge Carlson)
	:	
Defendant.	:	

**ORDER**

January 31, 2014

Plaintiff, Rynone Manufacturing Corp., filed a complaint against defendant, Scott Sulzbach, a former employee of Plaintiff, on March 14, 2013. Plaintiff filed a three-count amended complaint on April 23, 2013. ECF No. 7. Defendant filed a Motion to Dismiss on May 7, 2013. ECF No. 14

In its brief opposing the Motion to Dismiss, Plaintiff indicated that it was voluntarily withdrawing Counts II and III of the amended complaint. Accordingly, those counts are dismissed.

Chief Magistrate Judge Martin C. Carlson wrote a Report and Recommendation on September 27, 2013 recommending that the Motion to Dismiss be denied. ECF No. 21. Neither party filed objections to the Report and

Recommendation, and the time to object has since passed.

Because this Court agrees with Chief Magistrate Judge Carlson's recommendation that the Motion to Dismiss be denied, the Court will not rehash the sound reasoning of the Chief Magistrate Judge and will adopt the Report and Recommendation in its entirety

**NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

1. Defendant's Motion to Dismiss is DENIED in part and GRANTED in part. May 7, 2013, ECF No. 14.
2. Counts II and III of the Amended Complaint are DISMISSED. April 23, 2013, ECF No. 7.
3. Magistrate Judge Martin C. Carlson's Report and Recommendation is ADOPTED in full. September 27, 2013, ECF No. 21.
4. The action is remanded to Magistrate Judge Martin C. Carlson for further proceedings.

BY THE COURT:

s/ Matthew W. Brann  
Matthew W. Brann  
United States District Judge