

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

AUTOTRAKK, LLC,

Plaintiff.

v.

AUTOMOTIVE LEASING
SPECIALISTS, INC., MICHAEL C.
CAFFREY, GEORGE STAUFFER,

Defendants.

No. 4:16-CV-01981

(Judge Brann)

ORDER

AND NOW, this 6th day of February 2018, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Defendants' Motion to Dismiss, ECF No. 44, is **GRANTED IN PART** and **DENIED IN PART** as follows:
 - a. The motion is **DENIED** as to Counts I and II of Plaintiff's Second Amended Complaint, ECF No. 40 ¶¶ 47-65.
 - b. The motion is **GRANTED WITH PREJUDICE** as to Count IV of Plaintiff's Second Amended Complaint, ECF No. 40 ¶¶ 72-77.
 - c. The motion is **DENIED** as to Count VI of Plaintiff's Second Amended Complaint, ECF No. 4 ¶¶ 82-85.

2. Pursuant to Federal Rule of Civil Procedure 12(a)(4)(A), Defendants shall answer Plaintiff's Second Amended Complaint within 14 days of the date of this Order.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

United States District Judge