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

GENTEX CORPORATION,

No. 4:17-CV-01136

Plaintiff.

(Judge Brann)

V.

HELICOPTER HELMET, LLC,

Defendant.

## <u>ORDER</u>

## **JULY 11, 2018**

In accordance with the accompanying Memorandum Opinion, IT IS

HEREBY ORDERED that Defendant's Motion to Dismiss, ECF No. 27, is

GRANTED IN PART and DENIED IN PART as follows:

- 1. The motion is **DENIED** with respect to Counts I and II of Plaintiff's Amended Complaint, ECF No. 23.
- 2. Proceedings on Count III of Plaintiff's Amended Complaint are **STAYED** pending resolution of *Helicopter Helmet v. Gentex Co.*, Nos. 1:17-CV-00479 (D. Del.) and 18-2208 (3d Cir.).

BY THE COURT:

s/Matthew W. BrannMatthew W. BrannUnited States District Judge