

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

GREENWOOD LAND COMPANY,)	
Plaintiff)	2:09cv686
)	Electronic Filing
vs.)	
)	Judge David Stewart Cercone/
OMNICARE, INC.; NCS HEALTHCARE)	Chief Magistrate Judge Amy Reynolds Hay
OF NEW YORK, INC.,)	
Defendants)	

MEMORANDUM ORDER

AND NOW, this ¹⁵25 day of March, 2010, after the Plaintiff Greenwood Land Company filed an Amended Complaint [Document No. 3] in the above-captioned case, and a Motion to Dismiss Counts II and III of that Complaint [Document No. 42] was filed by the Defendants Omnicare, Inc. and NCS Healthcare of Hew York, Inc., a Report and Recommendation [Document No. 46] was filed by the United States Magistrate Judge granting the parties until March 11, 2010, to file written objections thereto. No objections have been filed. Upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Motion to Dismiss Counts II and III of the Amended Complaint [Document No. 42] is GRANTED.



David Stewart Cercone
United States District Judge

cc: Counsel of Record Via CM-ECF