GENNOCK et al v. KIRKLAND'S INC. Doc. 28

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

ASHLEY LYNN GENNOCK and JORDAN BUDAI, individually and on behalf of all others similarly situated,	)	
Plaintiffs,	)	2:17cv454
	)	Electronic Filing
v.	)	
KIRKLAND'S, INC.,	)	
Defendant.	)	

MEMORANDUM ORDER

AND NOW, this 4th day of January, 2018, after the plaintiffs, Ashley Lynn Gennock and Jordan Budai, filed an action in the above-captioned case, and after a motion to dismiss was submitted by the defendant, Kirkland's, Inc., and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties a period of time after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the defendant and the response to those objections filed by the plaintiffs, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (ECF No. 25), which is adopted as the opinion of this Court,

IT IS ORDERED that defendant's motion to dismiss (ECF No. 7) is denied.

D S Cercone

David Stewart Cercone
Senior United States District Judge

cc: Gary F. Lynch, Esquire
Kevin W. Tucker, Esquire
R. Bruce Carlson, Esquire
John G. Papianou, Esquire

(*Via CM/ECF Electronic Mail*)

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