

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

ETTA CALHOUN, SHERRY PORTER,)
and CYNTHIA GRAY, on behalf of)
themselves and all other persons similarly)
situated,)

Plaintiffs,)

v.)

INVENTION SUBMISSION)
CORPORATION d/b/a INVENTHELP,)
et. al.,)

Defendants.)

Civil Action No. 18-1022

Judge Cathy Bissoon
Magistrate Judge Patricia L. Dodge

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Patricia L. Dodge for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On January 16, 2020, the Magistrate Judge issued a Report (Doc. 78) recommending that Defendants’ Motion to Dismiss Counts I, II and III of Plaintiffs’ Second Amended Complaint Under FRCP 12(b)(6) and Motion to Strike Class Allegations (Doc. 65) be (1) granted only with respect to the AIPA-disclosure omission claims in Count I and otherwise denied; (2) granted with respect to Counts II and III of the Second Amended Complaint; (3) granted with respect to the claims asserted against Robert J. Susa in Count VI and denied with respect to the claims asserted against him in Counts I, IV and V; and (4) denied with respect to the motion to strike the class allegations. Service of the Report and Recommendation (“R&R”) was made on the parties, and both parties have filed Objections and Responses to Objections. *See* Docs. 92, 93, 94 and 95.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections and Responses thereto, the following Order is entered: Defendants' Motion to Dismiss is **GRANTED** (1) only with respect to the AIPA-disclosure omission claims in Count I; (2) with respect to Counts II and III of the Second Amended Complaint; and (3) with respect to the claims asserted against Robert J. Susa in Count VI. Plaintiffs' claims with respect to the AIPA-disclosure omission claims at Count I, Counts II and III in their entirety, and Count VI against Defendant Robert J. Susa are **DISMISSED WITH PREJUDICE**; and the R&R is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

March 25, 2020

s\Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record