



II, Plaintiffs' unlawful tip sharing claim; and (3) that R.I. Gen. Laws §§ 28-14-2 and 28-14-2.2 do not support Plaintiffs' claim for relief in Count V, Plaintiffs' "unlawful fees and fines" claim. (See Defs.' Mem. 4, 5, and 7, ECF No. 10-1 in C.A. No. 15-472.) These are the same claims that Defendants moved to dismiss in Levi. (Compare Defs.' Mem., ECF No. 10-1 and Pls.' Opp'n, ECF No. 16 in Walsh, C.A. No. 15-472, with Defs.' Mem., ECF No. 15-1 and Pls.' Opp'n, ECF No. 17-1 in Levi, C.A. No. 15-216.) And both Defendants and Plaintiffs largely copy - often verbatim - the arguments raised by the parties in Levi. (Id.)

Given these similarities, the Court need not write separately in the present action. The Court GRANTS IN PART and DENIES IN PART Defendants' Partial Motion to Dismiss for the reasons set forth in the Court's Memorandum and Order in Levi. (See Levi Mem. & Order, ECF No. 21 in C.A. No. 15-216.) Specifically, the Court GRANTS Defendants' Motion to Dismiss as to Count II, and as to Francis Deluca, and dismisses those claims without prejudice. The Court DENIES Defendants' Motion to Dismiss as to Count V.

IT IS SO ORDERED.



William E. Smith  
Chief Judge  
Date: April 7, 2016