

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GANAS, LLC

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v.

Case No. 2:12-CV-324-JRG-RSP


DELL, INC., et al.

ORDER

Currently before the Court is the Report and Recommendation filed by the Magistrate Judge on July 25, 2013 (Dkt. No. 222) recommending granting Defendant Intersystems' Motion to Dismiss for Failure to State a Claim Under F.R.C.P. 12(b)(6) (Dkt. No. 65). No objections having been filed and for the reasons set forth in the Court's Report and Recommendation, the Recommendation is adopted. Accordingly,

IT IS ORDERED that the Motion to Dismiss for Improper Venue, Motion to Dismiss for Failure to State a claim, and In the Alternative, Motion for a More Definite Statement (Dkt. No. 5) is **GRANTED** as specified in the Magistrate Judge's Report and Recommendation.

So ORDERED and SIGNED this 26th day of August, 2013.



 RODNEY GILSTRAP
 UNITED STATES DISTRICT JUDGE