

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

Daniel R. Castro
Plaintiff

v.

ENTREPRENEUR MEDIA, INC.
Defendant

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CIVIL ACTION NO:
A:10-CA-695-LY

**ORDER DENYING EMI's MOTION TO DISMISS
UNDER RULE 12(b)(6) AND RULE 12(b)(1)**

Before the Court are two motions filed by EMI. One asks the Court to dismiss certain of Castro's claims under Rule 12(b)(6). The other motion asks the Court to dismiss certain of Castro's claims under Rule 12(b)(1).

The Court having considered both motions, and all responsive pleadings, is of the opinion that both motions should be DENIED.

ACCORDINGLY, IT IS ORDERED that the EMI's Motion To Dismiss Under Rule 12(b)(6) and Rule 12(b)(1) are hereby DENIED.

Signed and executed this ____ day of August 2011.

The Honorable Lee Yeakel