

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KING & KING, CHARTERED

Plaintiff,

v.

**HARBERT INTERNATIONAL, INC.,
et al.**

Defendants.

Civil Action No. 06-324 (JDB)

ORDER

Upon consideration of [12] & [13] defendants' motions to dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, the parties' memoranda in support and in opposition thereto, and the entire record, and for the reasons stated in the memorandum opinion issued on this date, it is this 26th day of June, 2006, hereby

ORDERED that the motions are **GRANTED**; it is further

ORDERED that plaintiff's Second Amended Complaint is **DISMISSED** for failure to state a claim upon which relief may be granted; and it is further

ORDERED that [27] defendants' motion to strike portions of the Second Amended Complaint is **DENIED** as moot.

/s/ John D. Bates
JOHN D. BATES
United States District Judge

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