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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

HAROLD M. HOFFMAN, individually and on
behalf of those similarly situated,

Plaintiff,

vs.

LIQUID HEALTH INC.

Defendant.

Civil Action No. 14-01838 (SRC) (CLW)

Document electronically filed

**ORDER OF DISMISSAL OF COMMON
LAW CLAIMS
WITH PREJUDICE**

WHEREAS, this matter having been brought before the Court by way of informal application of Defendant Liquid Health Inc. (“Defendant”), by and through its attorneys, Gibbons P.C., for the entry of an Order of Dismissal of Common Law Claims With Prejudice;

WHEREAS, on July 2, 2014, this Court entered an Opinion and Order granting in part and denying in part Defendant’s motion for judgment on the pleadings dismissing Plaintiff’s common law fraud claims pursuant to Federal Rule of Civil Procedure 12(c), *see* ECF Nos. 25 & 26;

WHEREAS, the Court granted Plaintiff leave to re-plead his common law fraud claims to cure deficiencies identified in the Court’s Opinion within thirty (30) days;

WHEREAS, Plaintiff advised the Court that “we will be proceeding only on our statutory claims and will not be amending our Complaint to reallege the common law claim[s],” ECF No. 27;

WHEREAS, Plaintiff did not file an Amended Complaint within thirty (30) days, which expired on August 1, 2014, and good cause having been shown:

IT IS, on this 6 day of August 2014, **ORDERED** that Plaintiff's common law fraud claims are hereby dismissed, **WITH PREJUDICE**.



Honorable Stanley R. Chesler, U.S.D.J.