UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

TAMMY DEVANE, MICHELLE BARBATO, PETER BARBATO, AND SHARON MAROLDI

Plaintiffs,

v. : Case No. 3:19-cv-09899-BRM-LHG

CHURCH & DWIGHT CO., INC.,

: ORDER

Defendant.

THIS MATTER is opened to this Court by Defendant Church & Dwight Co., Inc.'s ("Defendant") Motion to Dismiss Plaintiffs Tammy Devane, Michelle Barbato, Peter Barbato, and Sharon Maroldi's (collectively, "Plaintiffs") Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). (ECF No. 16.) Plaintiffs filed an Opposition to Defendant's Motion to Dismiss. (ECF No. 19.) Having reviewed the submissions filed in connection with the motion and having declined to hold oral argument pursuant to Federal Rule of Civil Procedure 78(b), for the reasons set forth in the accompanying Opinion and for good cause shown,

IT IS on this 28th day of February 2020,

ORDERED that Defendant's Motion to Dismiss is **GRANTED WITHOUT PREJUDICE** with respect to Counts Five, Six, and Seven; and it is further

ORDERED that Defendant's Motion to Dismiss is **DENIED** with respect to Counts One, Two, Three, and Four; and it is finally

ORDERED that Plaintiffs have twenty-one days from the date of this order to file an amended complaint curing the deficiencies addressed in the accompanying opinion. If Plaintiffs elect to not file an amended complaint, the dismissed claims will be dismissed with prejudice.

/s/ Brian R. Martinotti
HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE