

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

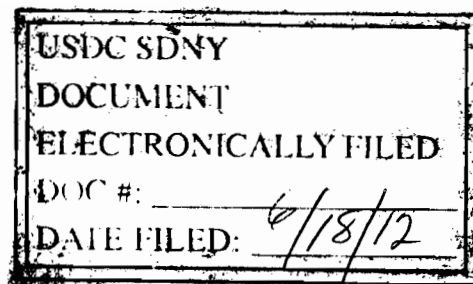
ANDEIA COWAN, et al.,

Plaintiffs,

-against-

WINDMILL HEALTH PRODUCTS, LLC, et
al.,

Defendants.



12 Cv. 1541 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

On June 14, 2012, the Court held a telephone conference to discuss the motions to dismiss filed in this matter. In that conference, plaintiffs' counsel agreed to further amend the Amended Class Action Complaint (Docket No. 36) in an effort to address the objections raised by defendants' motions to dismiss. On that basis, the Court deems the defendants' motions withdrawn without prejudice pending plaintiffs' amendments to the complaint.

Accordingly, it is hereby

ORDERED that plaintiff Andeia Cowan, Luis Shepherd, Holly Viola, Alexsandra Cerda, Cynthia Hogan, Debbie Vongphachanh, Tebytha Chan, Lavada Fallon, and Elizabeth Freedman file a second amended complaint by June 29, 2012; and it is further

ORDERED that the motion of defendants Wal-Mart Stores, Inc., Amazon.com, Inc., drugstore.com, Inc., CVS Pharmacy

Inc., GNC Corporation, Walgreen Co., and Quick Trim, LLC to dismiss the Amended Class Action Complaint (Docket No. 41) is deemed withdrawn without prejudice; and it is further


ORDERED that the motion of defendant Christopher Tisi to dismiss the Amended Class Action Complaint (Docket No. 43) is deemed withdrawn without prejudice; and it is further

ORDERED that the motion of defendants Kimberly Kardashian, Khloe Kardashian-Odom, and Kourtney Kardashian to dismiss the Amended Class Action Complaint (Docket No. 45) is deemed withdrawn without prejudice; and it is finally

ORDERED that the motion of defendant Windmill Health Products, LLC to strike pursuant to FRCP 12(f) (Docket No. 47) is deemed withdrawn without prejudice.

SO ORDERED:

Dated: New York, New York
15 June 2012


Victor Marrero
U.S.D.J.