

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

HEALTHANDBEAUTYDIRECT.COM,

Plaintiff

vs.

JON SCHULBERG, et al.,

Defendants

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Case No. **RWT 03-CV-3665**

ORDER

Upon consideration of Third Party Defendant Brian Fraidin's Motion to Dismiss Third Party Complaint [Paper No. 43], Defendants-Counter-Plaintiff's opposition thereto, and for the reasons stated in the Memorandum Opinion filed in conjunction with this Order, it is this 1st day of September, 2004, by the United States District Court for the District of Maryland,

ORDERED, that Third Party Defendant Brian Fraidin's Motion to Dismiss Third Party Complaint [Paper No. 43] is **GRANTED IN PART AND DENIED IN PART**. The motion is **GRANTED TO THE EXTENT** that the RICO claim, Count VII of the Third-Party Complaint is **DISMISSED**.

/s/

ROGER W. TITUS
UNITED STATES DISTRICT JUDGE