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U.S. DISTRICT COURT
DISTRICT OF MARYLAND
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Southern Division

MICHAEL TODD, *et al.*, *

Plaintiffs, *

v. **Case No.: GJH-15-0154**

*

XOOM ENERGY MARYLAND, LLC *
***et al.*,**

*

Defendants. *

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ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is hereby ordered by the United States District Court for the District of Maryland that:

1. Defendants' Motion to Dismiss, ECF No. 59, is granted, in part, and denied, in part;
2. The Motion to Dismiss is GRANTED with respect to:
    a. Plaintiffs' breach of contract claims (Count III) against ACN and XOOM Energy;
    b. Plaintiff Donnellon's negligent misrepresentation claims (Count V) against all Defendants and Plaintiffs Todd and Bonicos' negligent misrepresentation claims (Count V) against XOOM Energy Maryland;
3. The Motion to Dismiss is DENIED with respect to:
    a. Plaintiff Donnellon's breach of contract claim (Count III) against XOOM Energy Maryland;
    b. Plaintiffs' common law fraud claims (Count IV), claims under the MCPA (Count I), and claims under the NJCFA (Count II) against all Defendants; and

c. Plaintiffs Todd and Bonicos' negligent misrepresentation claims (Count V) against ACN and XOOM Energy.

Dated: February 16, 2017

GEORGE J. HAZEL
United States District Judge