

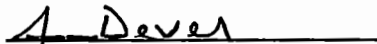
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:21-CV-25-D

DANIEL MCCARTHY, and PHIL SCALZO,)
)
Plaintiffs,)
)
v.)
)
ACTIVE ENERGY GROUP, PLC, et al.,)
)
Defendants.)

ORDER

The court has reviewed plaintiffs' complaint and defendants' motion to dismiss under the governing standard. See Fed. R. Civ. P. 12(b)(6); Ashcroft v. Iqbal, 556 U.S. 662, 677-78 (2009); Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555-63, 570 (2007); Coleman v. Md. Court of Appeals, 626 F.3d 187, 190 (4th Cir. 2010), aff'd, 566 U.S. 30 (2012); Nemet Chevrolet, Ltd. v. Consumeraffairs.com, Inc., 591 F.3d 250, 255 (4th Cir. 2009); Giarratano v. Johnson, 521 F.3d 298, 302 (4th Cir. 2008). The court DENIES defendants' motion to dismiss [D.E. 18]. United States Magistrate Judge Jones is available to host a settlement conference. The parties shall notify the court not later than January 10, 2022, if they would like to participate in such a conference. If so, Magistrate Judge Jones will schedule the conference at a mutually convenient time for the parties.

SO ORDERED. This 12 day of December, 2021.


JAMES C. DEVER III
United States District Judge