

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CARLOS MUNOZ, INDIVIDUALLY, AND ON :
BEHALF OF ALL OTHERS SIMILARLY :
SITUATED, :

Plaintiff, :

-against- :

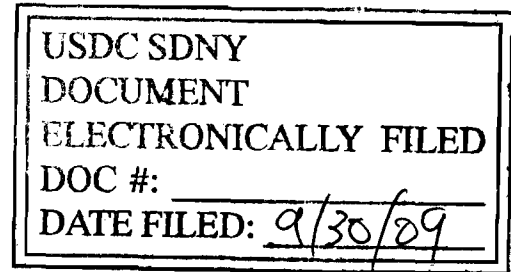
CHINA EXPERT TECHNOLOGY, INC.; PKF :
NEW YORK, CERTIFIED PUBLIC :
ACCOUNTANTS, A PROFESSIONAL :
CORPORATION; PKF HONG KONG, :
CERTIFIED PUBLIC ACCOUNTANTS; BDO :
MCCABE LO LOMITED, CERTIFIED PUBLIC :
ACCOUNTANTS; BDO SEIDMAN, LLP, :

Defendants. :

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ALVIN K. HELLERSTEIN, U.S.D.J.:

SUMMARY ORDER

07 Civ. 10531 (AKH)




On September 29, 2009, the parties appeared before me for oral argument on the motions of defendants BDO Seidman, LLP and PKF New York, Certified Public Accountants, a Professional Corporation, to dismiss the complaint pursuant to Fed. R. Civ. P. 12(b)(6).

For the reasons stated on the record, the motion of Defendant BDO Seidman, LLP is granted with prejudice. The motion of defendant PKF New York, Certified Public Accountants, a Professional Corporation, is granted without prejudice. Plaintiffs have leave to replead their claim against PKF New York, Certified Public Accountants, a Professional Corporation by October 29, 2009.

The Clerk shall mark the motions (Docs. #26 and 40) as terminated.

SO ORDERED.

Dated: September 30, 2009
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge