

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES ex rel.)	
THOMAS E. MOSSEY,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 99-1406 (PLF)
)	
PAL-TECH, INC.,)	
)	
Defendant and)	
Counterclaimant.)	

ORDER

This matter is before the Court on defendant's motions to dismiss Count I of the amended complaint for lack of subject matter jurisdiction and to strike plaintiff's expert report, as well as plaintiff's motion to dismiss defendant's counterclaim pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim on which relief can be granted. After careful consideration of the motions, oppositions and replies, it is hereby

ORDERED that defendant's motion to dismiss Count I for lack of subject matter jurisdiction [55] is DENIED; it is

FURTHER ORDERED that defendant's motion to strike plaintiff's Rule 26(a)(2) report submitted by Mr. Leslie A. Leiper [46] is GRANTED; it is

FURTHER ORDERED that plaintiff's motion to dismiss defendant's counterclaim [42] is DENIED. An Opinion explaining the Court's reasoning will follow in due course.

SO ORDERED.

PAUL L. FRIEDMAN
United States District Judge

DATE: