

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION
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|----------------------------|---|-----------------------------|
| In re |) | |
| |) | |
| ADVANCED TELECOMMUNICATION |) | Case No. 6:03-bk-00299-KSJ |
| NETWORK, INC., |) | Chapter 11 |
| |) | |
| Debtor. |) | |
| _____ |) | |
| ADVANCED TELECOMMUNICATION |) | |
| NETWORK, INC., |) | |
| |) | Adversary No. 6:05-ap-6-KSJ |
| Plaintiff, |) | Consolidated with |
| vs. |) | Adversary No. 6:11-ap-8-KSJ |
| |) | |
| FLASTER/GREENBERG, P.C., |) | |
| PETER R. SPIRGEL, and |) | |
| STEVEN B. SACHAROW, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

**ORDER PARTIALLY GRANTING
DEFENDANTS' AMENDED MOTION TO DISMISS**

The Court considered the Amended Motion by Defendants Flaster Greenberg, P.C., Peter R. Spigel, and Steven B. Sacharow to Dismiss Plaintiff's Consolidated Complaint (Document No. 61). After reviewing the pleadings and considering the positions of all interested parties, it is

ORDERED:

1. The Defendants' Amended Motion to Dismiss (Document No. 61) is partially granted pursuant to Fed. R. Civ. P. 12(b)(6). Counts III and IV of the Amended Complaint are dismissed with prejudice.

2. All counts other than III and IV of the Amended Complaint and the § 550 Complaint remain.

3. A pretrial conference is set for **11:00 a.m. on February 21, 2013**, at the United States Bankruptcy Court, 6th Floor, Courtroom A, 400 West Washington St., Orlando, Florida 32801.

DONE AND ORDERED in Orlando, Florida, on February 4, 2013.



KAREN S. JENNEMANN
Chief United States Bankruptcy Judge