Docket #0894 Date Filed: 01/30/2023

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re: ACHAOGEN, INC. Debtor.	Chapter 11 Case No. 19-10844 (BLS)
EDWARD E. NEIGER, as Trustee of the Achaogen Plan Trust, Plaintiff, v. CIPLA USA, INC. Defendant.	Adv. Proc. No. 21-50479 (BLS) **Re: Adv. Docket Nos. 9, 10, 19, 21, 25**

ORDER

AND NOW, this 30th day of January, 2023, upon consideration of the Defendant Cipla's Partial Motion to Dismiss the Complaint under Fed. R. Civ. P. 8 and 12(b)(6) (the "Motion")[1], and the Plaintiff's response thereto, and after oral argument, and for the reasons set forth in the accompanying Memorandum Opinion, it is hereby ORDERED that:

(1) The Motion is GRANTED as to Count IV (tortious interference with contract) and Count IV is dismissed without prejudice to the Plaintiff to replead; and

(2) The remainder of the Motion is DENIED as to Counts V, VI, VIII, IX and X.

FOR THE COURT:

BRENDAN LINEHAN SHANNON
United States Bankruptcy Judge

[1] Adv. Docket Nos. 9, 10.

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