

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

BANXCORP,

Plaintiff,

v.

BANKRATE, INC.,

Defendant.

Civil Action No. 07-3398 (SDW)(MCA)

**ORDER**

July 13, 2010

**WIGENTON**, District Judge.

This matter, having come before the Court on Bankrate's Motion to Dismiss BanxCorp's Third Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) (the "Motion") (Doc. #91), and this Court, having carefully reviewed and considered the submissions and arguments of the parties, for the reasons stated on the record on July 13, 2010,

IT IS on this 13th Day of July, 2010,

**ORDERED** that Defendant Bankrate's Motion is DENIED.

s/ Susan D. Wigenton  
**Susan D. Wigenton, U.S.D.J.**

cc: Magistrate Judge Madeline C. Arleo