IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

DARLA YOOS, et al *

Plaintiffs *

vs. * CIVIL ACTION NO. MJG-12-1696

PUBLISH AMERICA, LLLP *

Defendant *

* * * * * * * * *

MEMORANDUM AND ORDER RE: MOTION TO DISMISS

The Court has before it Defendant's Motion to Dismiss and to Strike [Document 10] and the materials submitted relating thereto. The Court has held a hearing and had the benefit of the arguments of counsel.

I. Summary Background

Defendant Publish America, LLLP ("PA") is a Maryland-based enterprise that offers services to authors. Plaintiffs are three authors of manuscripts who entered into contracts with PA relating to book publication. Pursuant to the contracts, Plaintiffs assigned the publishing rights to their works to PA for seven years and paid sums for various services.

In broad terms, Plaintiffs allege that PA falsely represented itself as a "traditional publisher," did not provide the services for which Plaintiffs paid, and misled them in