



The third objection, concerning the statute of limitations, is **OVERRULED**. It is not apparent from the face of the complaint and the contract that the statute of limitations bars the complaint.

The fourth objection, to the unjust enrichment count, might have some merit, but it is premature to reach that conclusion when Defendant has not yet filed an answer to the Amended Complaint. The fourth objection is **OVERRULED**.

The R&R (D.I. 18) is **ADOPTED** to the extent necessary to the above discussion. The motion to dismiss (D.I. 10) is **DENIED**.

IT IS SO ORDERED this 11 day of March 2022.

  
United States District Judge