

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RUMSON WELLNESS LLC, *et al.*,

Plaintiffs,

v.

FOUNTAINHEAD SBF LLC, *et al.*,

Defendants.

Civil Action No. 25-11931 (MAS) (TJB)

ORDER

This matter comes before the Court upon Defendants Fountainhead SBF LLC (“Fountainhead”), Community Bank & Trust – West Georgia (“Community Bank”), and Phoenix Lender Services, LLC’s (“Phoenix,” and collectively with Fountainhead and Community Bank, “Defendants”) Motion to Dismiss (ECF No. 23) Plaintiffs Rumson Wellness LCC (“Rumson Wellness”), Dylan Ross (“Dylan”), and Taylor Ross’s (“Taylor,” and collectively with Rumson Wellness and Dylan, “Plaintiffs”) Amended Complaint (ECF No. 15). Plaintiffs opposed (ECF No. 26), and Defendants replied (ECF No. 27). The Court has carefully considered the parties’ submissions and decides the matter without oral argument pursuant to Local Civil Rule 78.1(b). For the reasons outlined in the accompanying Memorandum Opinion,

IT IS, on this 28th day of April 2026, **ORDERED** as follows:

1. Defendants’ Motion to Dismiss (ECF No. 23) is **GRANTED**.
2. Plaintiffs’ Amended Complaint (ECF No. 15) is **DISMISSED WITHOUT PREJUDICE**.

3. Plaintiffs shall be afforded an opportunity to file a second amended complaint to address the deficiencies identified in the accompanying Memorandum Opinion. Plaintiffs have **forty-five (45)** days from the date of this Order to file a second amended complaint.
4. The Clerk shall close this matter.

/s/ Michael A. Shipp

MICHAEL A. SHIPP

UNITED STATES DISTRICT JUDGE