

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

ROBERSON EXCAVATION, INC.,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 1:15-cv-939-WKW
)	[WO]
DALE COUNTY WATER)	
AUTHORITY,)	
<i>et al.</i> ,)	
)	
Defendants.)	

ORDER

CDG Engineers and Associates, Inc.'s Motion to Dismiss Dale County Water Authority's Cross-Claim (Doc. # 59) has been rendered moot by the unopposed filing of the First Amended Cross Claim of DCWA against CDG (Doc. # 72), as CDG anticipated (Doc. # 69, at 2). Accordingly, it is ORDERED that the motion to dismiss (Doc. # 59) is DENIED as moot without prejudice to reassert applicable arguments as they pertain to the amended cross-claim.

DONE this 28th day of February, 2018.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE