

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

CARTER BROTHERS)
MANUFACTURING COMPANY,)
INC.,)
)
Plaintiff,)
)
v.)
)
LUMBERMEN'S UNDERWRITING)
ALLIANCE, an Inter-)
insurance Exchange Company,)
)
Defendant.)

CIVIL ACTION NO.
2:11cv251-MHT
(WO)

JUDGMENT

There being no objection, it is the ORDER, JUDGMENT, and DECREE of the court that the third-party plaintiff Lumbermen's Underwriting Alliance's motion to dismiss (doc. no. 66) is granted and that third-party defendant Avaya, Inc. is dismissed without prejudice.

The parties are to bear their own costs.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

Third-party Avaya, Inc. is terminated.

DONE, this the 18th day of July, 2011.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE