

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

JOSEPH L. HERROD and, CAESAREA-DEVELOPMENT, LLP,)

Plaintiffs/Counterclaim Defendants,)

v.) Civil Action No. 2:15CV152-WHA

JACKSON HEALTH, INC.,)
DONALD P. BROBST, an individual;)
C. DENNIS WOOLDRIGE, an individual;)
A.CHANDLER MULLER, an individual;)
JACKSON HOSPITAL & CLINIC, INC.;)
PRIMARY PHYSICAINS, INC.,)

Defendants/Counterclaimants,)
Third Party Plaintiffs,)

v.)

ALKEMI MANAGEMENT, LLC,)

Third-party Defendant.)

ORDER

Upon consideration of the Joint Status Report, this court entered an Order to show cause as to any party why the stay in this case ought not be lifted, Alkemi Mangament LLC’s Motion to Dismiss Counterclaims (Doc. #91) ought not be granted, and the case not be dismissed as to Primary Physicians, Inc., C. Dennis Wooldrige, Donald P. Brobst, and A. Chandler Muller. (Doc. #97). Only the Plaintiffs filed a response to this court’s Order to Show Cause. Based on the Joint Status Report, the Plaintiffs’ response to the court’s Order, and the lack of any other

response to the court's Show Cause Order, and for good cause shown, it is hereby ORDERED as follows:

1. The stay in this case is lifted.

2. Alkemi Management, LLC's Motion to Dismiss Counterclaims (Doc. #91) is GRANTED and Alkemi Management, LLC is DISMISSED as a party to this action.

3. The case is DISMISSED as to Primary Physicians, Inc. and C. Dennis Wooldrige without prejudice.

4. The case is DISMISSED with prejudice as to Donald P. Brobst and A. Chandler Muller.

The case will proceed on claims of the Plaintiffs (Doc. #27) against Jackson Health, Inc. and Jackson Hospital & Clinic, Inc.; the counterclaims of Jackson Health, Inc. for fraudulent misrepresentation, suppression, breach of fiduciary duty, negligence, wantonness, and unjust enrichment. (Doc. #83) at p.14); and the counterclaim of Jackson Hospital & Clinic, Inc. for fraudulent inducement (Doc. #83 at p.15).

Done this 20th day of June, 2016.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE