

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**BARBARA ANN WILSON,**

**Plaintiff,**

**v.**

**THE BIRMINGHAM LIBRARY  
FOUNDATION, et. al.,**

**Defendants.**

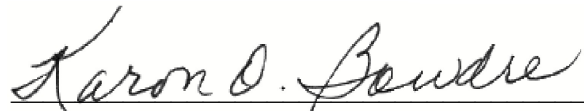
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**CV-10-BE-2386-S**

**ORDER**

This matter is before the court on “Second Motion to Dismiss Defendant the Birmingham Public Library Foundation with Supporting Affidavit” (doc. 13) and this court’s “Order to Show Cause” why this motion should not be granted (doc. 14). In its Order to Show Cause, the court gave Plaintiff a deadline to respond if she opposed the motion. Plaintiff has not opposed the motion by the deadline. Therefore, the court GRANTS the motion and ORDERS that the Birmingham Public Library Foundation be DISMISSED as a party Defendant. The case will proceed against the remaining Defendants.

DONE and ORDERED this 10<sup>th</sup> day of November, 2010.

  
KARON OWEN BOWDRE  
UNITED STATES DISTRICT JUDGE