

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**JOHN ROBERTSON**

**PLAINTIFF**

**v.**

**No. 4:11-cv-511-DPM**

**CERTAINTIED CORPORATION  
and BEN DAVIS PROPERTIES  
MANAGEMENT, LLC**

**DEFENDANTS**

**ORDER**

Avizent moves to intervene in this case. *Document No. 26*. The potential intervenors allege that they have paid Robertson a total of \$99,789.11 for medical expenses and disability benefits because of the accident that gave rise to this lawsuit. They argue that they therefore have a right to subrogation under the laws of Alabama – the place where the contract between Robertson and CertainTeed was created.

None of the parties to the pending action have objected. And it appears that the potential intervenors satisfy the requirements of Federal Rule of Civil Procedure 24(a)(2), which governs intervention of right. The Court therefore grants the motion to intervene, *Document No. 26*. Intervenors must file their proposed complaint by 5 October 2012.

So Ordered.

*D.P. Marshall Jr.*  
D.P. Marshall Jr.  
United States District Judge

*26 September 2012*