

IN THE UNITED STATE DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

CHEN HAIN LIN

PLAINTIFF

VS.

CASE NO. 08-CV-4033

DYRON BEAVERS and  
HI-TECH TESTING SERVICE, INC.

DEFENDANTS

INDEMNITY INSURANCE  
COMPANY OF NORTH AMERICA

INTERVENOR PLAINTIFF

**ORDER**

Before the Court are two motions: a Motion to Dismiss filed by Separate Defendant Dyron Beavers<sup>1</sup> and a Motion for Summary Judgment filed by Separate Defendant Hi-Tech Testing Service, Inc. (“Hi-Tech”). (Docs. 25 and 32). Plaintiff has responded to both motions. (Doc. 35 and 36). For reasons discussed in the Memorandum Opinion of even date, Separate Defendant Dyron Beavers’ Motion to Dismiss should be and hereby is **GRANTED** and Separate Defendant Hi-Tech Testing Service, Inc.’s Motion for Summary Judgment is **GRANTED**. Plaintiff’s claims against Defendants Dyron Beavers and Hi-Tech Testing Service, Inc., are dismissed without prejudice.

IT IS SO ORDERED, this 14th day of September, 2009.

/s/ Harry F. Barnes  
Hon. Harry F. Barnes  
United States District Judge

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<sup>1</sup> Plaintiff incorrectly named Defendant Dyron Beavers as “Darren Beavers” in the complaint. Defendant stated in his answer that his correct name is Dyron Beavers. Because this opinion involves a motion to dismiss and a motion for summary judgment, the Court will assume as true all factual allegations contained in the complaint and will examine the facts in a light most favorable to Plaintiff.