

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

DESIREE KOLBEK, et al.

PLAINTIFFS

VS.

CASE NO. 10-CV-4124

TWENTY FIRST CENTURY HOLINESS  
TABERNACLE CHURCH, INC., et al.

DEFENDANTS

ADVANTAGE FOOD GROUP, et al.

THIRD-PARTY PLAINTIFFS

VS.

JENNIFER KOLBEK, et al.

THIRD-PARTY DEFENDANTS

**ORDER**

Before the Court is a Motion to Dismiss Cross-Claims and Third Party Complaint Without Prejudice filed on behalf of Separate Defendant and Third Party Plaintiff Advantage Food Group (“AFG”). (ECF No. 641). Pursuant to Federal Rule of Civil Procedure 41(a)(2), AFG seeks to dismiss without prejudice the cross-claims asserted on its behalf in this matter.<sup>1</sup> In addition, AFG seeks to dismiss its third party complaint (ECF No. 133) without prejudice.<sup>2</sup>

Upon consideration, the Court finds that good cause for the dismissal of AFG’s cross-claims and third party complaint has been shown. Accordingly, the motion (ECF No. 641) is

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<sup>1</sup> Advantage Food Group has asserted cross-claims against Twenty First Century Holiness Tabernacle Church Inc., Gloryland Christian Church, Armful of Help, Tony and Susan Alamo Foundation, Music Square Church, SJ Distributing Inc., Action Distributors Inc., Jeanne Estates Apartments, Inc., Robert W. Gilmore d/b/a RG & Associates Security, Sally Demoulin, Sharon Alamo, Steve Johnson, Tony Alamo a/k/a Bernard Hoffman, Cherry Hill Printing, Inc., Rite Way Roofing Inc., Angela Morales, Sanford White, Terri White, and Tommy Scarcello.

<sup>2</sup> Advantage Food Group has asserted third party claims against Jennifer Kolbek, Lamont Eddy, Susan Davis, Joseph Orlando, Elenora Orlando, Terry Farr, Lisa Penman, James Rodriguez, Nicole Rodriguez, Dennis Hagan, Robin Hagan, Lee King, Alaina King and Ann Nicholas, Special Administratrix of the Estate of John Kolbek, deceased.

**GRANTED.** Pursuant to Federal Rule of Civil Procedure 41, AFG's cross-claims and third party complaint are hereby **DISMISSED WITHOUT PREJUDICE.**

IT IS SO ORDERED, this 5th day of December, 2013.

/s/ Susan O. Hickey  
Susan O. Hickey  
United States District Judge