

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

THE BARTRAM, LLC,

Plaintiff,

v.

CASE NO.: 1:09cv254-SPM/AK

C.B. CONTRACTORS, LLC,

Defendant/Third-Party Plaintiff,

v.

DUFFIELD ALUMINUM, et al.,

Third-Party Defendants.

ORDER DENYING MOTION TO DISMISS AS MOOT

C.B. Contractors, LLC, having withdrawn Count XVI of the Third-Party Complaint (see doc. 90), it is

ORDERED AND ADJUDGED: Dai-Cole Waterproofing Company, Inc.'s motion to dismiss Count XVI of the Third-Party Complaint (doc. 60) is denied as moot.

DONE AND ORDERED this 19th day of August, 2010.

s/ Stephan P. Mickle

Stephan P. Mickle
Chief United States District Judge