

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

TRACY KENYON et al.,

Plaintiffs,

v.

CASE NO. 4:13cv233-RH/CAS

FIRST BAPTIST CHURCH OF ST.
GEORGE ISLAND, FLORIDA, INC.,
etc., et al.,

Defendants.

_____ /

ORDER DISMISSING THE WARRANTY CLAIM

The first amended complaint included a claim against the defendant Residential Elevators, Inc. for breach of express and implied warranties. Residential moved to dismiss that claim. The plaintiffs consented. The plaintiffs have filed a second amended complaint that, among other things, omits the warranty claim. Accordingly,

IT IS ORDERED:

Residential's motion, ECF No. 22, to dismiss the warranty claim is
GRANTED. Any warranty claim is dismissed.

SO ORDERED on December 6, 2013.

s/Robert L. Hinkle
United States District Judge