

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**IN THE MATTER OF NATIONAL
MAINTENANCE & REPAIR, INC.,
AS OWNER OF THE M/V HARTFORD
BEAVER FOR EXONERATION FROM
OR LIMITATION OF LIABILITY,**

No. 09-0676-DRH

ORDER

HERNDON, Chief Judge:

Now before the Court is Vincent Deering's motion for leave to file Modified Verified Third Party Complaint against Mid-America Fuels, Inc. and M/V Sue, in rem (Doc. 44). Based on the reasons stated in the motion, the Court **GRANTS** the motion. The Court **ORDERS** Deering to file his Third Party Complaint *instanter*. Further, the Court **DENIES as moot** Deering's February 3, 2010 motion to file Verified Third Party Complaint against Mid-America Fuels, Inc. and M/V Sue, in rem (Doc. 41).

IT IS SO ORDERED.

Signed this 9th day of February, 2010.

/s/ David R. Herndon

**Chief Judge
United States District Court**