

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

WEIGAND CONSTRUCTION )  
COMPANY, INC., )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
WORTMAN BROTHERS, LLC, *et al.*, )  
 )  
Defendant. )

No. 1:14 CV 210

ORDER

Magistrate Judge Susan Collins' Report and Recommendation (DE #25) is adopted, and plaintiff's unopposed motion to dismiss defendant Wortman Brothers, LLC, without prejudice (DE #22) is **GRANTED**.

Defendant Wortman Brothers, LLC, is now **DISMISSED WITHOUT PREJUDICE**.

**SO ORDERED.**

Date: November 5, 2015

s/James T. Moody \_\_\_\_\_  
JUDGE JAMES T. MOODY  
UNITED STATES DISTRICT COURT