

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

NICHOLAS MEINERT and )
NICOLE MEINERT, Individually )
and as Husband and Wife, )
Plaintiffs, )
v. ) CAUSE NO. 2:12-CV-00092-WCL-APR
UNITED STATES STEEL )
CORPORATION, PRAXAIR, INC. )
a/k/a PRAXAIR DISTRIBUTION, INC., )
WELDING COMPANY OF AMERICA, )
ALBION CASTERS, INC. d/b/a )
ALBION INC., and ALBION )
INDUSTRIES d/b/a ALBION, INC. )

OPINION AND ORDER

Before the Court is Defendant Albion Casters, Inc.<sup>1</sup> (“Albion Casters’s”), Motion to Dismiss for Lack of Personal Jurisdiction [DE 38] filed on November 15, 2012. Plaintiffs Nicholas and Nicole Meinert (“the Meinerts”) responded on April 16, 2013 [DE 52]. The Motion will be GRANTED.

The Meinerts filed the present lawsuit alleging injuries resulting from an accident involving an allegedly defective caster/wheel. As part of this suit, plaintiffs allege that Albion Casters manufactured and provided the defective caster/wheel involved in the accident and that it was not fit for its particular purpose based on its design and manufacture. Albion Casters then filed the present motion to dismiss pursuant to Fed.R.Civ.P. 12(b)(2) asserting that it did not produce or

<sup>1</sup>Albion Casters, Inc. was improperly named in the Complaint as Albion Casters, Inc. d/b/a Albion, Inc.

manufacture the caster involved in the case. In their response, the Meinerts concede that Albion Casters did not produce the caster in this case but rather another entity Albion Industries did. As a result of this concession, the Meinerts agree that Albion Casters's Motion to Dismiss is well-taken and they do not object to the dismissal. Accordingly, Albion Casters's Motion to Dismiss [DE 38] is GRANTED.

Entered: This 13<sup>th</sup> day of May, 2013.

s/ William C. Lee  
United States District Court