

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
CEDAR RAPIDS DIVISION**

BVS, INC.,

Plaintiff,

vs.

CDW DIRECT, LLC,

Defendant and Third-Party  
Plaintiff,

vs.

ARROW ELECTRONICS, INC.,  
TSSLINK, INC. and NET APP, INC.,

Third-Party Defendants.

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NET APP, INC.,

Counter Claimant,

vs.

CDW DIRECT, LLC,

Counter Defendant.

No. 11-CV-79-LRR

**ORDER**

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The matter before the court is the court's March 28, 2013 Order (docket no. 109). Pursuant to such order, the court resolved BVS, Inc.'s ("BVS") claims in favor of CDW Direct, LLC ("CDW") and directed the Clerk of Court to enter judgment accordingly. *See* Judgment (docket no. 110). Because CDW's Third-Party Complaint (docket no. 41) against Arrow Electronics, Inc., TSSLink, Inc. and Net App, Inc. was necessarily contingent on BVS prevailing against CDW, the court finds that it is appropriate to dismiss without prejudice CDW's Third-Party Complaint. The Clerk of Court is directed to enter an amended judgment that reflects judgment in favor of CDW and against BVS on BVS's

Complaint (docket no. 38) and dismissal without prejudice of CDW's Third-Party Complaint (docket no. 41) against Arrow Electronics, Inc., TSSLINK, Inc. and Net App, Inc.

**IT IS SO ORDERED.**

**DATED** this 2nd day of April, 2013.

A handwritten signature in black ink, appearing to read "Linda R. Reade", written over a horizontal line.

LINDA R. READE  
CHIEF JUDGE, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF IOWA