

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

KWANTRA VARNADO, ET AL

CIVIL ACTION

VERSUS

NO: 18-8969

MELIS AITIEV, DD LOGISTICS,
INC., AND WESTCO INS. CO.

SECTION: "S" (5)

ORDER AND REASONS

Before the court is defendant Melis Aitiev's 12(b)(6) **Motion to Dismiss** (Rec. Doc. 35), seeking dismissal of this matter because plaintiff has failed to serve Aitiev with the lawsuit.

On October 7, 2019, Proof of Service on Melis Aitiev was filed into the record.

Accordingly,

IT IS HEREBY ORDERED that defendant Melis Aitiev's **Motion to Dismiss** (Rec. Doc. 35) is **DENIED as moot**.

New Orleans, Louisiana, this 16th day of October, 2019.



MARY ANN VIAL LEMMON
UNITED STATES DISTRICT JUDGE