

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

DANIEL SMOCK,

Plaintiff

v.

VOLVO GROUP N. AM., LLC, et al.,

Defendants

* * * * *

CIVIL NO. JKB-14-1064

ORDER

For the reasons stated in Defendants’ unopposed motions to dismiss (ECF Nos. 9 & 21), it is hereby ORDERED:

1. The motions (ECF Nos. 9 & 21) are GRANTED.
2. Plaintiff’s state-law claims of negligence and negligent misrepresentation are preempted by the Employee Retirement Income Security Act of 1974 (“ERISA”), 29 U.S.C. § 1001 *et seq.*, and are DISMISSED for failure to state a claim.
3. Plaintiff’s complaint is DISMISSED WITHOUT PREJUDICE to refile a complaint asserting claims under ERISA.
4. The Clerk shall CLOSE this case.

DATED this 21st day of May, 2014.

BY THE COURT:

/s/
James K. Bredar
United States District Judge