

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GRIZZLY AUTO TRANSPORT; CAUDILL & SON  
TRUCKING; JOHN CECCARELLI; JEFF'S 3  
CARGO, INC.; PATRICK DAVIS; RONALD  
DAVIS; JAMES HOLLAND; DIZS, INC.; RUSSELL  
HOY; MARK MARTINOVICH; TIM  
JAGODZINSKI; VALKYRIE EXPRESS, INC.;  
DENNIS LEVENE; LIGHTNING  
TRANSPORTATION; M&J TRUCKING; MARK  
OLSWAY; JOE PALETTA; 4 CHAINS  
TRANSPORT I, INC.; TIMOTHY SMITH; and  
DAVID WILLIAMSON, CHRIS PETERSON,

Case No. 2:08-cv-11832-SFC-MJH  
Hon. Sean F. Cox  
Magistrate Judge Hluchaniuk

Plaintiffs/Counter-Defendants,

vs.

TRAN TECH, INC.,

Defendant/Counter-Plaintiff.

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**ORDER DISMISSING PLAINTIFF JAGODZINSKI'S COMPLAINT, WITH  
PREJUDICE, AND ENTERING DEFAULT**

At a session of said Court held in the U.S. District Court,  
Eastern District of Michigan, City of Detroit, State of  
Michigan on October 20, 2009

Present: Sean F. Cox  
U. S. DISTRICT COURT JUDGE

This matter having come before this Court pursuant to Defendant/Counter-Plaintiff Tran Tech's ("Tran Tech") Motion to Dismiss Plaintiff Jagodzinski's Claims and For Entry of Default Against Plaintiff Jagodzinski for Failure to Comply with the Court's Order, and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that Defendant's motion is GRANTED;

IT IS FURTHER ORDERED that Plaintiff Jagodzinski's complaint against Tran Tech is DISMISSED, WITH PREJUDICE and DEFAULT is entered against Plaintiff Jagodzinski, with respect to Tran Tech's Counterclaims against him;

IT IS FINALLY ORDERED that Defendant is allowed to prove its claims against Jagodzinski without testimony or evidence from Jagodzinski.

IT IS SO ORDERED.

Dated: October 20, 2009

s/ Sean F. Cox  
Sean F. Cox  
U. S. District Judge

I hereby certify that a copy of the foregoing document was served upon counsel and/or the parties of record by electronic and/or First Class Mail on October 20, 2009.

Dated: October 20, 2009

s/ Jennifer Hernandez  
Case Manager