

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

UNITED STATES OF AMERICA
upon the relation and for the use of the
TENNESSEE VALLEY AUTHORITY,

PLAINTIFF

v.

CIVIL ACTION NO. 1:15-cv-00019-GHD-DAS

AN EASEMENT AND RIGHT-OF-WAY
OVER 3.28 ACRES OF LAND, MORE
OR LESS, IN LEE COUNTY,
MISSISSIPPI; and FREEDOM TD
PRODUCTS, INC. f/k/a Mac's Tire
Recyclers, Inc.; LIBERTY TIRE
RECYCLING, LLC; and DON B.
CANNADA, trustee

DEFENDANTS

**ORDER GRANTING PLAINTIFF'S MOTION FOR JUDGMENT ON THE PLEADINGS
AS TO OBJECTIONS AND DEFENSES TO THE TAKING ASSERTED BY
DEFENDANTS FREEDOM TD PRODUCTS, INC.
AND LIBERTY TIRE RECYCLING, LLC; RESERVING ISSUE OF JUST
COMPENSATION FOR JURY TRIAL**

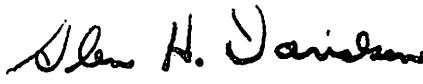
Pursuant to an opinion issued this day, the Court ORDERS as follows:

- (1) The motion for judgment on the pleadings [23] filed by Plaintiff United States of America, upon the relation and for the use of the Tennessee Valley Authority, is GRANTED, because it has the right to take, for just compensation, the subject property for the erection, operation, and maintenance of electric power transmission circuits and communication circuits; and
- (2) Defendants Freedom TD Products, Inc. and Liberty Tire Recycling, LLC's objections and defenses as to the taking fail as a matter of law.

The Court further ORDERS that Defendants Freedom TD Products, Inc. and Liberty Tire Recycling, LLC are entitled to a trial to contest the compensation offered. Therefore, the case

sub judice shall remain on the Court's docket for further proceedings to address the issue of compensation.

SO ORDERED, this 6 day of March, 2017.



SENIOR U.S. DISTRICT JUDGE