

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)

v.)

Case No. 1:14-cv-224-LG-JCG

DAWN PROPERTIES, INC.,)
SOUTHERN CROSS CONSTRUCTION)
COMPANY, INC.,)
RIDGELAND CONSTRUCTION ONE, LLC,)
THE BEACH CLUB, LLC,)
THE BELMONT OF LAMAR, LLC,)
GRAND BISCAVNE APTS., LLC,)
SEAINN, LLC, and)
IKE W. THRASH,)

Defendants,)

and)

SUMMER MISS, LLC,)
14510 LEMOYNE BOULEVARD, LLC,)
LEXINGTON MILL MISSISSIPPI OWNER, LLC,)
INN BY THE SEA HOME OWNERS)
ASSOCIATION, INC., and)
RS BELMONT APARTMENTS, LLC,)

Rule 19 Defendants,)

and)

14510 LEMOYNE BOULEVARD, LLC,)
Cross-claimant,)

v.)

GRAND BISCAVNE APTS., LLC and)
IKE W. THRASH,)

Cross-defendant and)
Rule 19/20 Defendant to)
Crossclaim.)

AGREED ORDER OF DISMISSAL AND SUBSTITUTION OF PARTY

THIS MATTER is before the Court on the Joint Motion of Plaintiff and Rule 19 Defendant RS Belmont Apartments, LLC to dismiss Defendant RS Belmont Apartments, LLC as a Rule 19 Defendant and substitute Alcurt Biloxi II LLC in its place as a Rule 19 Defendant [Docket No. 592]. The parties have advised the Court that the current owner of The Belmont (Biloxi) Apartments is Alcurt Biloxi II LLC. The Court, having considered the Joint Motion and being otherwise fully advised in the premises, finds that the Joint Motion is well-taken and should be granted.

ACCORDINGLY, IT IS HEREBY ORDERED that Rule 19 Defendant RS Belmont Apartments, LLC is dismissed as a Rule 19 Defendant, and Alcurt Biloxi II LLC is substituted in place of RS Belmont Apartments, LLC as a Rule 19 Defendant in this case.

IT IS FURTHER ORDERED that Rule 19 Defendant Alcurt Biloxi II LLC shall comply with the terms of the Consent Order between the United States and RS Belmont Apartments, LLC, Docket No. 536, including but not limited to, permitting access to complete the required retrofits.

SO ORDERED AND ADJUDGED this the 5th day of January, 2018.

s/ Louis Guirola, Jr.

LOUIS GUIROLA, JR.
UNITED STATES. DISTRICT JUDGE

AGREED:

For Plaintiff United States of America:

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United States Attorney
Southern District of Mississippi

JOHN M. GORE
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*For RS Belmont Apartments, LLC and
Alcort Biloxi II LLC*

Fed. R. Civ. P. 19 Necessary Party:

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