

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LEWIS AND CLARK MARINE, INC.,

Plaintiff,

vs.

MICHAEL GOGGIN,

Defendant.

Case No. 4:11-CV-1928-JAR

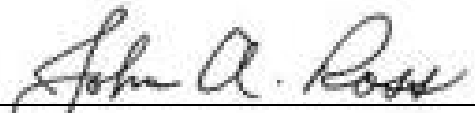
MEMORANDUM AND ORDER

This matter is before the Court on Defendant's Motion to Dismiss. [ECF No. 21] Plaintiff filed its response to Defendant's motion, stating that because Defendant has expressed an intent to pursue a state court claim in which issues regarding Plaintiff's obligation to pay maintenance and cure can be litigated, it does not oppose Defendant's motion to dismiss. (Doc. No. 23)

Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion to Dismiss [21] is **GRANTED**. A separate Order of Dismissal accompanies this Memorandum and Order.

Dated this 28th day of February, 2013.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE