

states a claim against Ross and McCurry entitling Plaintiffs to a declaration of their rights and responsibilities.¹

IT IS SO ORDERED.

DATE: May 6, 2010

/s/ Ortrie D. Smith
ORTRIE D. SMITH, JUDGE
UNITED STATES DISTRICT COURT

¹Of course, if Ross and McCurry have no intentions of seeking recovery from Plaintiffs, it would seem they could confess judgment or readily reach some kind of agreement with Plaintiffs.