

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WILLIAM J. MOYLE,)
)
Plaintiff,)
)
v.)
)
CONCRETE INDUSTRIES, INC.,)
and ROGER T. CLARKE,)
)
Defendants)
)
v.)
)
MECHANICAL SYSTEMS, INC., and)
ACUITY INSURANCE COMPANY, its)
workers' compensation insurer,)
)
Intervenors/Defendants.)
_____)

8:12CV434

ORDER AND JUDGMENT

Pursuant to the memorandum opinion entered herein this date,

IT IS ORDERED:

- 1) Defendants' motion for relief from judgment for lack of subject matter jurisdiction (Filing No. [124](#)) is granted.
- 2) The judgment in the amount of \$19,607,486.00 (Filing No. [108](#)) is set aside.

3) Plaintiff's amended complaint (Filing No. [27](#)) is dismissed without prejudice for lack of subject matter jurisdiction.

DATED this 22nd day of May, 2014.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court