

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**JUAN BARBOSA,**

**Plaintiff,**

**vs.**

**GOLDEN CORRAL CORPORATION,  
GOLDEN CORRAL RESTAURANT,  
B & D FOODS LLC, CNL NET LEASE  
FUNDING 2001 LP, AND NINE18, LLC,**

**Defendants.**

**8:16CV65**

**ORDER**

This matter is before the Court on Plaintiff Juan Barbosa's Motion to Dismiss Improper Party (Filing No. 11) ("Motion"). The Plaintiff asks this Court to dismiss Defendant B & D Foods LLC from the above-captioned action, without prejudice. Under Federal Rule of Civil Procedure 21, a court may "[o]n motion or on its own motion, . . . at any time, on just terms, add or drop a party." Fed. R. Civ. P. 21. The Court has reviewed the Motion and finds that it should be granted. Accordingly,

**IT IS ORDERED:**

1. Plaintiff Juan Barbosa's Motion to Dismiss Improper Party (Filing No. 11) is granted;
2. Defendant B & D Foods, LLC is dismissed from the above-captioned action, without prejudice;
3. The Clerk of the Court is directed to remove B & D Foods LLC from the case caption; and
4. The Court will not assess costs or attorney's fees.

Dated this 20<sup>th</sup> day of April, 2016

**BY THE COURT:**

s/Laurie Smith Camp  
Chief United States District Judge