

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**JEAN LEE**

Plaintiff

vs.

**CASE NUMBER: 5:08-CV-348 (NPM/ATB)**

**ROBERT A. DURR**

Defendant

**ROBERT A. DURR**

Third Party Plaintiff

vs.

**LIBERTY INSURANCE UNDERWRITERS, INC.**

Third Party Defendant

**Decision by Court.** This action came to hearing before the Court.  
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That Robert A. Durr's Motion to Dismiss the Complaint is hereby GRANTED, further ordered that Robert A. Durr's Third-Party Complaint against Liberty Insurance Underwriters, Inc., is dismissed for lack of subject matter jurisdiction. Further Liberty's Motion for Summary Judgment is DENIED AS MOOT. This action is closed.

All of the above pursuant to the order of the Honorable Judge Neal P. McCurn, dated the 23<sup>rd</sup> day of March, 2011.

DATED: March 24, 2011

  
Clerk of Court

s/

By: Joanne Bleskoski, Deputy Clerk