

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:09-CV-412-FL

SCENERA RESEARCH LLC,	)
	)
	)
Plaintiff,	)
	)
v.	)
	)
	)
ROBERT PAUL MORRIS,	)
	)
	)
Defendant.	)

No. 5:09-CV-439-FL

ROBERT PAUL MORRIS,	)
	)
	)
Plaintiff,	)
	)
v.	)
	)
	)
SCENERA RESEARCH LLC and	)
RYAN C. FRY,	)
	)
	)
Defendants.	)

**JUDGMENT**

**Decision by Court.**

These actions came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of the motion of Robert Paul Morris challenging subject matter jurisdiction pursuant to Rule 12(b)(1) and 28 U.S.C. § 1447(c).

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered February 14, 2011, and pursuant to the reasons set forth more specifically therein, that Robert Paul Morris's motion is granted. The declaratory judgment action Scenera Research LLC v. Morris, No.

5:09-CV-412-FL, is dismissed for lack of subject matter jurisdiction. Morris v. Scenera Research LLC, et al., No. 5:09-CV-439-FL, is remanded to the General Court of Justice, Superior Court Division, Wake County, North Carolina.

**This Judgment Filed and Entered on February 16, 2011, and Copies To:**

Hayden J. Silver, III (via CM/ECF Notice of Electronic Filing)  
John M. Moyer (via CM/ECF Notice of Electronic Filing)  
Anthony J. Biller (via CM/ECF Notice of Electronic Filing)  
Walter Brock, Jr. (via CM/ECF Notice of Electronic Filing)  
The Honorable Lorrin Freeman, Wake County Clerk of Superior Court  
(via U.S. mail) PO Box 351, Raleigh, NC 27602-0351

February 16, 2011

DENNIS P. IAVARONE, CLERK

/s/ Christa N. Baker  
(By) Christa N. Baker, Deputy Clerk