

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

DOUGLAS E. MCPHAIL,)
 Plaintiff)
)
 v.)
)
A GOODNIGHT SLEEPSTORE,)
and AMERICAN GENERAL)
FINANCIAL SERVICES, INC.,)
 Defendants)

JUDGMENT

No. 5:09-CV-451-H2

Decision by Court.

This case came before the Honorable Malcolm J. Howard, Senior United States District Judge for consideration of defendant's motion to dismiss and plaintiff's motion for partial summary judgment.

IT IS ORDERED, ADJUDGED AND DECREED the court grants defendant's motion and dismisses this action in its entirety. Plaintiff's motion for partial summary judgment is dismissed as moot and this case is closed.

This Judgment Filed and Entered on February 8, 2011 with service on:

Douglas E. McPhail (Via U.S. Mail), 615 Kellam Circle, Fayetteville, NC 28311
Canon Pence (via cm/ecf Notice of Electronic Filing)
Megan E. Miller (via cm/ecf Notice of Electronic Filing)

Date: February 8, 2011

DENNIS P. IAVARONE, CLERK
/s/ Delsia Heath
(By): Delsia Heath, Deputy Clerk

