

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:10-CV-30-D

SISTERS TWO, LLC.,	)	
JUDITH ANN TREADWELL,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
WRENN TREADWELL TREVARTHEN,	)	
	)	
Defendant.	)	

**ORDER**

On December 22, 2010, plaintiffs filed a motion for voluntary dismissal of their complaint [D.E. 29]. On January 12, 2011, defendant responded to plaintiffs' motion for voluntary dismissal [D.E. 36].

The court GRANTS plaintiffs' motion for voluntary dismissal [D.E. 29]. See Fed. R. Civ. P. 41(a)(2). The complaint is dismissed without prejudice. The plaintiffs' motion to amend the complaint [D.E. 17] is DISMISSED as moot. The defendant's counterclaim remains pending before the court. Pursuant to 28 U.S.C. § 636(b)(1)(A), the non-dispositive motions [D.E. 19, 21, 27] are referred to Magistrate Judge Daniel for disposition.

SO ORDERED. This 13 day of January 2011.

  
 JAMES C. DEVER III  
 United States District Judge