

UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF NORTH CAROLINA  
 WESTERN DIVISION

MARK ELLIOTT FREEMAN, )  
 Plaintiff, )  
 )  
 v. )  
 \_\_\_\_\_ )  
 HUGO CARVIS, JOHN HESS, HESS )  
 CORPORATION, AMERADA HESS, HOVENSA, )  
 UDCI, LITWIN CORP., )  
 Defendants. )

**JUDGMENT IN A CIVIL CASE  
 CASE NO. 5:11-CV-611-F**

**Decision by Court.**

This action came before the Honorable James C. Fox, Senior United States District Judge, for ruling as follows.

**IT IS ORDERED, ADJUDGED AND DECREED** that pursuant to the court’s order dated May 11, 2012, the Defendant John Hess’ Motion to Dismiss is **ALLOWED** and plaintiff’s claims against Defendant John Hess are **DISMISSED** for failure to state a claim.

**FURTHER, IT IS ORDERED ADJUDGED AND DECREED** that the Plaintiff’s claims against remaining Defendants Hugo Carvis, Hess Corporation, Amerada Hess, Hovensa, UDCI and Litwin Corporation are **DISMISSED** without prejudice for failure to make timely service in accordance with Rule 4(m) of the Federal Rules of Civil Procedure. The Clerk of Court is **DIRECTED** to close this case.

**This Judgment Filed and Entered on June 12, 2012, and Copies To:**

Mark Elliott Freeman (via US Mail to P.O. Box 932, Fayetteville, NC 28302)  
 Mark Douglas Eisler (via CM/ECF Notice of Electronic Filing)

DATE  
 June 12, 2012

JULIE A. RICHARDS, CLERK  
 \_\_\_\_\_  
 /s/ Susan K. Edwards  
 (By) Susan K. Edwards, Deputy Clerk