

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

No. 5:12-cv-00620-BR

JANE E. MILLER, personal representative of )  
the Estate of Robert Wesley Miller )  
 )  
Plaintiff, )  
v. )  
 )  
3M COMPANY a/k/a MINNESOTA )  
MINING & MANUFACTURING )  
COMPANY et al., )  
 )  
Defendants. )

**ORDER**

This matter is before the Court on the Joint Motion to Dismiss Plaintiff’s claims against only Defendant KELSEY-HAYES COMPANY (sued individually and as successor-in-interest to FREUHAUF TRAILER) pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. There being no opposition, the motion is ALLOWED. IT IS THEREFORE ORDERED that Plaintiff’s claims against Defendant KELSEY-HAYES COMPANY (sued individually and as successor-in-interest to FREUHAUF TRAILER), ONLY, are hereby DISMISSED WITHOUT PREJUDICE, with each party to bear its own costs.

This 3 June 2014.

  
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W. Earl Britt  
Senior U.S. District Judge