

AO 450 (Rev. 5/85)

---



---

**United States District Court**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

JOHN SIMMONS and SCOTT B. CARLE, )

Plaintiff, )

v. )

WACHOVIA SECURITIES, LLC, *a Member Firm*, )  
 LEHMAN BROTHERS, INC., *a Member Firm*, )  
 MORGAN KEEGAN & COMPANY, INC., *a Member* )  
*Firm*, REGIONS FINANCIAL CORPORATION, *a* )  
*Member Firm*, JOHN DOES 1-2, RANDY J. ROSS, )  
*a Registered Representative*, JAMES TIMOTHY RITT, )  
*a Registered Representative*, and GAIL MARKHAM )  
 BROWN, *a Registered Representative*, )

Defendant. )

**JUDGMENT**  
**CASE NO. 5:12-CV-659-D**

**Decision by the Court:**

IT IS ORDERED AND ADJUDGED that the Plaintiff’s Motion to Show Cause; Motion to Extend Time for Service [D.E. 9] is DENIED. Plaintiff’s Motion to Vacate Arbitration Award [D.E. 1] is DISMISSED WITHOUT PREJUDICE. The Clerk shall close the case.

**THE ABOVE JUDGMENT WAS ENTERED TODAY, JULY 25, 2013 WITH A COPY TO:**

Robert G. McIver (via CM/ECF electronic notification)  
R. Dennis Fairbanks (via CM/ECF electronic notification)  
Charles F. Marshall III (via CM/ECF electronic notification)

July 25, 2013  
Date

JULIE A. RICHARDS, Clerk  
Eastern District of North Carolina

/s/ Debby Sawyer  
(By) Deputy Clerk

Raleigh, North Carolina