

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:13-CV-110-F

CATHY L. RUDISILL,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al

Defendant.

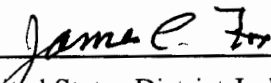
Order

Granting Motion to Drop a Party

As indicated in the Order of this Court, docket entry 41 (DE 41), the plaintiff has moved the Court, pursuant to Rules 7 and 21 of the Federal Rules of Civil Procedure, for an Order to drop a party from this case and to amend the caption of the case accordingly and to mark the party as terminated from the action in the Clerk's records. Counsel for the defendant does not object to the motion and consents to the motion and this order.

F.R. Civ. P. 21 provides in pertinent part that "[m]isjoinder of parties is not a ground for dismissing an action. On motion or on its own, the court may at any time, on just terms, add or drop a party." Accordingly, the Secretary of the Army, John McHugh, is hereby dropped and terminated as a party defendant and that the United States is the sole proper party defendant in this action. Further, the caption of the case is directed to be amended accordingly, and the Clerk shall terminate McHugh in the records of the Court, leaving the United States as the party-defendant.

So Ordered, this 18<sup>th</sup> day of June, 2014

  
United States District Judge  
JAMES C. FOX