

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
CASE NO. 5:13-CV-00795**

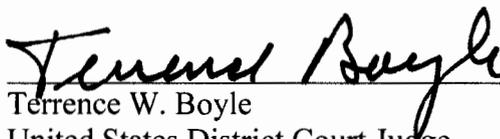
K-FLEX USA, LLC)
)
 Plaintiff,)
)
 v.)
)
 RACK & MORE, LLC, ANTOINE UTLEY,)
 TRANSEXPRESS, LLC, ADVANCED)
 TRANSPORT, LLC, 1975 LLC, doing business as)
 EDWARD WOLFF & ASSOCIATES, BAXTER)
 BAILEY & ASSOCIATES, INC., LANDSTAR)
 LIGON, INC. and ALEXANDER MILLER &)
 ASSOCIATES,)
)
 Defendants/Claimants.)

ORDER

This matter came on for consideration upon Nucor Wire Products Pennsylvania, Inc.’s (“Nucor’s”) Motion to Intervene and to be Substituted in Action for Defendant Rack and More, LLC. After due consideration of Nucor’s motion and memoranda, the Court finds that Nucor is the assignee of Rack and More, LLC’s interest in this action and the interpleaded funds, that no other party purporting to represent Nucor’s interest has filed an appearance in this action, that Nucor has demonstrated a direct interest in the subject matter of this litigation, and that such interests may be affected by the outcome of this litigation. Nucor has therefore satisfied the prerequisites to intervention as of right pursuant to Rule 24(a) of the Federal Rules of Civil Procedure. The Court also finds that because Rack and More, LLC’s interest in this litigation has been transferred to Nucor, Nucor is entitled to be substituted into this action pursuant to Rule 25(a) of the Federal Rules of Civil Procedure.

It is therefore:

ORDERED that Nucor Wire Products Pennsylvania, Inc. is permitted to intervene in this action; Nucor Wire Products Pennsylvania, Inc. is substituted into this action for Defendant Rack and More, LLC; and Nucor Wire Products Pennsylvania, Inc. has five days from entry of this order in which to file its Answer and Claim to Interpleaded Funds, which was attached as Exhibit A to the Motion.



Terrence W. Boyle
United States District Court Judge