

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

JMW Concrete Contractors, )  
)  
Appellant, )  
)  
National Erectors Rebar, Inc., )  
)  
Appellee. )

**JUDGMENT**

No. 5:15-CV-139-BR

**Decision by Court.**

This action came before Senior US District Judge W. Earl Britt for consideration regarding the appeal from the US Bankruptcy Court, Eastern District of North Carolina.

**IT IS ORDERED, ADJUDGED AND DECREED** that the bankruptcy court’s 29 September 2014 and 17 March 2015 orders are REVERSED with direction to the bankruptcy court to reconsider its ruling on JMW’s motion for summary judgment in conjunction with New Bern’s and Weaver Cooke’s motions for summary judgment on NER’s claims.

**This judgment filed and entered on March 29, 2017, and served on:**

- Norman F. Klick , Jr. (via CM/ECF Notice of Electronic Filing)
- Robert N. Young (via CM/ECF Notice of Electronic Filing)
- Christopher J. Derrenbacher (via CM/ECF Notice of Electronic Filing)
- Eric G. Sauls (via CM/ECF Notice of Electronic Filing)
- Jennifer Michelle St. Clair (via CM/ECF Notice of Electronic Filing)

March 29, 2017

PETER A. MOORE, JR., CLERK OF COURT

  
By: Deputy Clerk

