

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

TOD SETTLE, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 EXAMINATION MANAGEMENT )  
 SERVICES, INC., )  
 )  
 Defendant. )

**JUDGMENT**

No. 5:15-CV-171-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the defendant’s motion to dismiss pursuant to Federal Rules of Civil Procedure 12(b)(6), for failure to state a claim upon which relief may be granted.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court’s order entered October 26, 2015, and for the reasons set forth more specifically therein, that defendant’s motion to dismiss is granted.

**This Judgment Filed and Entered on October 26, 2015, and Copies To:**

Craig Hensel (via CM/ECF Notice of Electronic Filing)  
Jonathan W. Yarborough (via CM/ECF Notice of Electronic Filing)

October 26, 2015

JULIE RICHARDS JOHNSTON, CLERK  
/s/ Christa N. Baker  
(By) Christa N. Baker, Deputy Clerk