

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

STEWART ENGINEERING, INC., )  
)  
Plaintiff, )  
)  
v. )  
)  
CONTINENTAL CASUALTY )  
COMPANY; ZURICH AMERICAN )  
INSURANCE COMPANY; SKANSKA )  
USA BUILDING, INC.; and CLARK )  
NEXSEN, INC., )  
)  
Defendants. )

**JUDGMENT IN A CIVIL CASE**  
**CASE NO. 5:15-CV-377-D**

**Decision by Court.**

**IT IS ORDERED, ADJUDGED, AND DECREED** that the court GRANTS defendant's motion for summary judgment [D.E. 54], and DENIES plaintiff's motion for summary judgment [D.E. 61]. Defendant may file a motion for costs in accordance with the Federal Rules of Civil Procedure and the court's local rules.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that on 11/16/2016, the court granted Clark Nexsen's Motion to Dismiss or Drop Party [DE 45]. Clark Nexsen, Inc. is DISMISSED WITHOUT PREJUDICE from this action pursuant to Rule 21 of the Federal Rules of Civil Procedure. In addition, on 1/31/2017, the court granted Zurich American Insurance Company's Motion for Misjoinder [DE 48]. Zurich is DISMISSED WITHOUT PREJUDICE from this action pursuant to Rule 21 of the Federal Rules of Civil Procedure.

**This Judgment Filed and Entered on March 20, 2018, and Copies To:**

Rebecca Fay Rushton	(via CM/ECF electronic notification)
Stephen P. Safran	(via CM/ECF electronic notification)
Elizabeth Guild Simpson	(via CM/ECF electronic notification)
Leland H. Jones, IV	(via CM/ECF electronic notification)
Richard A. Simpson	(via CM/ECF electronic notification)
Ashley E. Eiler	(via CM/ECF electronic notification)
L. Andrew Watson	(via CM/ECF electronic notification)
Theodore Nicholas Goanos	(via CM/ECF electronic notification)
Rodney E. Pettey	(via CM/ECF electronic notification)
Sean T. Patrick	(via CM/ECF electronic notification)
Robert A. Meynardie	(via CM/ECF electronic notification)

DATE:  
March 20, 2018

PETER A. MOORE, JR., CLERK  
(By) /s/ Nicole Briggeman  
Deputy Clerk