

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

SENECA SPECIALTY INSURANCE,)
COMPANY,)
Plaintiff,)
v.)
LEONARD ALAN MIXON doing business)
As Spartan 1, WENDY ALLEN, ANGELA)
HARVEY, CLARENCE LUPTON,)
TIONNA MELENDEZ, JUDY RADFORD,)
EVELYN LOFTON, LAKIA DISMEL,)
GAIL KANON,)
Defendants.)

**JUDGMENT IN A CIVIL CASE
CASE NO. 5:15-CV-664-FL**

Decision by Court.

This action came before this Court for ruling as follows.

IT IS ORDERED, ADJUDGED AND DECREED that the plaintiff's motion for default judgment is GRANTED IN PART and DENIED IN PART. The court GRANTS plaintiff's motion for default judgment as to all claims and all defendants except defendant Gail Kanon. In particular, the court DIRECTS the clerk to enter judgment declaring that (1) the policies as defined herein are void and rescinded, and (2) that plaintiff has no obligation either to defend or to indemnify defendant Spartan under the policies, including with respect to claims asserted by defendants Wendy Allen, Angela Harvey, Clarence Lupton, Tionna Melendez, Judy Radford, Evelyn Lofton, and Lokia Dismel. Plaintiff's motion for default judgment as to defendant Gail Kanon is DENIED WITHOUT PREJUDICE. The clerk is DIRECTED to close this case.

This Judgment Filed and Entered on May 4, 2017, and Copies to:

Susan K. Burkhart (via CM/ECF Notice of Electronic Filing)

DATE

May 4, 2017

PETER A. MOORE, JR., CLERK

(By) Susan K. Edwards, Deputy Clerk

