

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
7:13-CV-18-BO

NAOMI HESS,)
)
 Plaintiff,)
)
 v.)
)
 ATLANTIC MARINE CORPS)
 COMMUNITIES, LLC,)
)
 Defendant.)

ORDER

This case comes before the court on the consent motion (D.E. 6) filed by defendant Atlantic Marine Corps Communities, LLC, pursuant to Fed. R. Civ. P. 21, to substitute defendants. Specifically, Atlantic Marine Corps Communities, LLC moves to be dismissed with prejudice and substituted with the purportedly proper defendants, Atlantic Marine Corps Communities Property Management LLC and Winn Management Group LLC. Plaintiff Naomi Hess does not oppose the motion.

It is therefore ORDERED as follows:

1. The motion is ALLOWED on the terms set forth below;
2. To effectuate the substitution of defendants, the parties shall file no later than 18 February 2013 a stipulation, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), dismissing all claims in this action against Atlantic Marine Corps Communities, LLC;
3. In addition, contemporaneously with the filing of the stipulation, plaintiff shall file an amended complaint naming Atlantic Marine Corps Communities Property Management LLC and Winn Management Group LLC as the only defendants in this action; and

4. Following the filing of the amended complaint, the Clerk shall revise the caption to reflect the substitution of defendants.

SO ORDERED, this the 4th day of February 2013.



James E. Gates
United States Magistrate Judge