

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
FILE NO: 7:14-CV-102-FL**

THE UNITED STATES OF AMERICA, *ex. rel.* INNOVATIVE METALS COMPANY, INC.,

Plaintiff,

vs.

BLUE ROCK STRUCTURES INC.;
SOUTHWEST SHEET METAL OF NC, LLC;
WESTFIELD INSURANCE COMPANY; and
CHRISTOPHER FREY,

Defendants.

**ORDER DISMISSING PLAINTIFF'S
SECOND CLAIM FOR RELIEF ONLY**

ON MOTION of Plaintiff The United States of America, *ex rel.* Innovative Metals Company, Inc. ("IMETCO" or "Plaintiff") pursuant to Rule 41 (a)(2) of the Federal Rules of Civil Procedure and this Court's 12 November 2014 Text Order the Court hereby finds that Plaintiff intends to dismiss its Second Claim for Relief based on *quantum meruit* and unjust enrichment. This Court further finds that it considers Plaintiff's terms of dismissal are proper, and the Second Claim for Relief merits dismissal.

WHEREFORE, Plaintiff The United States of America, *ex rel.* Innovative Metals Company, Inc.'s Second Claim for Relief only is hereby DISMISSED.

This the 24th day of November, 2014.



LOUISE WOOD FLANAGAN
DISTRICT COURT JUDGE