

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:15-CV-250-D

BLACKROCK ENGINEERS, INC.,)
)
 Plaintiff,)
)
 v.)
)
 DUKE ENERGY PROGRESS, LLC, and)
 AMEC FOSTER WHEELER ENVIRONMENT)
 AND INFRASTRUCTURE, INC.,)
)
 Defendants.)

ORDER

On March 28, 2016, AMEC Foster Wheeler Environment and Infrastructure, Inc., moved to dismiss plaintiff's complaint [D.E. 29]. See Fed. R. Civ. P. 12(b)(6). On March 29, 2016, Duke Energy Progress, LLC moved to dismiss plaintiff's complaint [D.E. 31]. On June 6, 2016, plaintiff responded in opposition [D.E. 38, 39].

The court has considered the complaint under the governing standard. See Fed. R. Civ. P. 12(b)(6); Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009); Bell Atl. Corp. v. Twombly, 550 U.S. 544, 564–70 (2007). The motions to dismiss [D.E. 29, 31] are DENIED. Whether plaintiff's claims will survive a motion for summary judgment is an issue for another day.

SO ORDERED. This 23 day of September 2016.



JAMES C. DEVER III
Chief United States District Judge