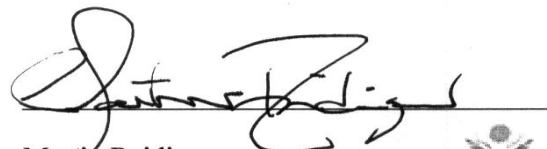


action. The Court will construe Defendant Eley's filing as a motion to dismiss pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure and will grant the motion.

IT IS, THEREFORE, ORDERED that the Defendant Eley's motion to dismiss [Doc. 175] is **GRANTED**, and the third-party claims asserted by Defendant Eley in this action are hereby **DISMISSED**.

IT IS SO ORDERED.

Signed: March 24, 2014


Martin Reidinger
United States District Judge

