

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:15-cv-00130-MR-DLH**

MINERVA McSWAIN, Individually)
and as Executrix of the Estate of)
BUREN EDWARD McSWAIN,)
)
Plaintiff,)
)
vs.)
)
AIR & LIQUID SYSTEMS)
CORPORATION, et al.,)
)
Defendants.)
_____)

ORDER

THIS MATTER is before the Court on the Plaintiff's Response to Show Cause Order [Doc. 100] and the Plaintiff's Consent Motion to Amend Complaint [Doc. 101].

On November 5, 2015, the Court entered an Order directing the Plaintiff to show cause for her failure to effect service of the Summons and Complaint on the Defendants Crosby Valve, Inc.; Flowserve Corporation, Individually and as Successor to Byron Jackson Pump Company; Fluor Daniel, Inc., f/k/a Daniel Construction Company, Inc.; and Uniroyal, Inc. [Doc. 95]. The Plaintiff now responds to the Show Cause Order, advising

that Defendant Uniroyal was served and filed an Answer on November 16, 2015, and that Defendant Flowserve Corporation had been served and had an answer filed on its behalf by its parent company BW/IP, Inc. [Doc. 61]. As for Defendants Crosby Valve, Inc. and Fluor Daniel, Inc., the Plaintiff states that she was not successful in obtaining service on these Defendants as named. [Doc. 100]. By way of a separate motion, the Plaintiff moves to amend her Complaint in order to correct the names of these Defendants and to have summonses issued for the correctly named Defendants. [Doc. 101].

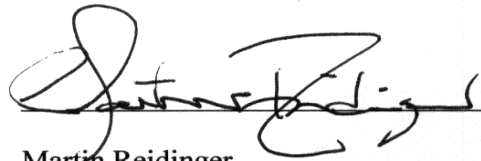
Upon review of the Plaintiff's Response, the Court will discharge its Show Cause Order. Further, upon review of the Plaintiff's Motion to Amend, the Court will allow the Plaintiff to file an Amended Complaint.

IT IS, THEREFORE, ORDERED that the Show Cause Order [Doc. 95] is hereby **DISCHARGED**, and the Plaintiff's claims against the above-referenced Defendants will be allowed to proceed.

IT IS FURTHER ORDERED that the Plaintiff's Consent Motion to Amend Complaint [Doc. 101] is **GRANTED**, and the Plaintiff shall file her First Amended Complaint within fourteen (14) days of the entry of this Order.

IT IS SO ORDERED.

Signed: November 19, 2015


Martin Reidinger
United States District Judge

