

**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,** )  
 )  
**Plaintiffs,** )  
 )  
**vs.** )  
 )  
**AIR & LIQUID SYSTEMS** )  
**CORPORATION, et al.,** )  
 )  
**Defendants.** )  
\_\_\_\_\_ )

**ORDER**

**THIS MATTER** is before the Court on the Defendant Airgas USA, LLC’s Motion for Summary Judgment [Doc. 225] and the parties’ Joint Motion to Dismiss [Doc. 291].

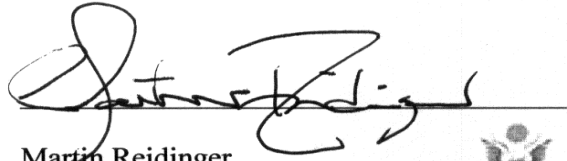
Upon review of the parties’ motion to dismiss,

**IT IS, THEREFORE ORDERED** that the parties’ Joint Motion to Dismiss [Doc. 291] is **GRANTED**, and the Plaintiffs’ claims against Defendant Airgas USA, LLC, are hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that the Defendant Airgas USA, LLC’s Motion for Summary Judgment [Doc. 225] is **DENIED AS MOOT**.

**IT IS SO ORDERED.**

Signed: May 31, 2017

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

**Martin Reidinger**  
**United States District Judge**

