

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:20-cv-00220-MR

RANDY W. BARKLEY, Individually )  
and as the Executor of the Estate of )  
Rita W. Barkley, Deceased, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
4520 CORP., INC., Individually and )  
as Successor-in-Interest to )  
Benjamin F. Shaw Company, et al., )  
 )  
Defendants. )  
 )

ORDER

**THIS MATTER** is before the Court on the Defendant Carboline Company’s Motion for Summary Judgment [Doc. 301] and the parties’ Joint Motion to Dismiss Carboline Company [Doc. 380].

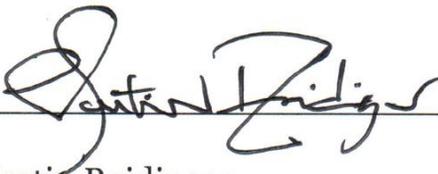
Upon review of the parties’ motions,

**IT IS, THEREFORE, ORDERED** that the parties’ Joint Motion to Dismiss [Doc. 380] is **GRANTED**, and all the Plaintiff’s claims against the Defendant Carboline Company are hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that the Defendant Carboline Company’s Motion for Summary Judgment [Doc. 301] is **DENIED AS MOOT**.

**IT IS SO ORDERED**

Signed: November 18, 2021



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Martin Reidinger  
Chief United States District Judge

