

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
2:08cv29**

PAUL FAGAN; and EVELYN FAGAN,)

Plaintiffs,)

Vs.)

ORDER

**UNITRIN AUTO AND HOME
INSURANCE COMPANY d/b/a
Kemper, a Unitrin Business,**)

**Defendant and
Third-Party Plaintiff,**)

Vs.)

ICA, INC.,)

Third-Party Defendant.)

_____)

THIS MATTER is before the court on defendant’s second Motion to File a Third Party Complaint (#12). This pleading appears to have been filed in error and is duplicative of pleading #13. (The court has considered #13 as the substantive motion inasmuch as it was later filed, but it does not include the proposed third-party complaint.)

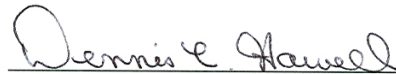
Counsel for defendant also appears to be filing scanned pleadings rather than pleadings that have been converted into electronic documents. While such practice

is permissible, it creates a document that is electronically unusable as it can neither be searched nor may passages be electronically copied.

ORDER

IT IS, THEREFORE, ORDERED that defendant's Motion to File a Third Party Complaint (#12) is **STRICKEN**.

Signed: December 8, 2008

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Dennis L. Howell
United States Magistrate Judge

