

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION**

2:09cv1

**RODERICK OLSEN and wife,)
DEBRA CLEMONS-OLSEN,)**

Plaintiffs,)

Vs.)

ORDER

ANDREWS TRUSS, INC.,)

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

Vs.)

B-K CYPRESS LOG HOMES, INC.,)

**Third-Party)
Defendant.)**

_____)

THIS MATTER is before the court on defendant and third-party plaintiff's Motion to Change Trial Venue. Respective counsel are advised that while such motion was filed on January 28, 2010, it did not reflect the results of required consultation with other counsel. See L.Cv.R. 7.1. For that reason, the court tickled such motion for response, and none was submitted. Having considered such motion and reviewed the pleadings, and it now appearing that the courthouse in Bryson City has been repaired and that this action should be tried in that division, the motion will

be allowed.

ORDER

IT IS, THEREFORE, ORDERED that defendant and third-party plaintiff's Motion to Change Trial Venue (#18) is **GRANTED**, and the trial location provided in the Pretrial Order is changed to Bryson City.

Signed: February 16, 2010



Dennis L. Howell
United States Magistrate Judge

