

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL NO. 3:09-cv-00502-FDW-DLH**

**JOHN CHUBIRKO,** )  
 )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 )  
 **BETTER BUSINESS BUREAU OF** )  
 **SOUTHERN PIEDMONT, INC., et al.,** )  
 )  
 **Defendants.** )  
 )


**ORDER**

THIS MATTER is before the Court *sua sponte* following the Plaintiff’s Notice of Voluntary Dismissal as to the following Defendants: Rick Jackson, Greater Media, Inc., Peter H. Smyth, Edward R. Nolan, Jr., Ellen J. Rubin, Richard D. Feinblatt, Milford K. Smith, Joseph McKevez, Bryant Boyington, Heidi A. Raphael, Buzz Knight, Tom Bender, Peter Gilchrist, and Neilsen Online Strategic Services. (Doc. No. 113). Subsequently, the Clerk terminated those identified Defendants in accordance with the voluntary dismissal. Since certain Defendants are no longer parties, the Clerk is directed to terminate the following motions as moot: “Motion to Dismiss for Lack of Jurisdiction by Peter Gilchrist” (Doc. No. 23); “Motion to Strike [23] Motion to Dismiss for Lack of Jurisdiction by John Chubirko” (Doc. No. 57); “Motion to Dismiss by Tom Bender, Bryant Boyington, Richard D. Feinblatt, Greater Media, Inc., Rick Jackson, Buzz Knight, Joseph McKevez, Edward R. Nolan, Jr., Heidi A. Raphael, Ellen J. Rubin, Milford K. Smith, Peter H. Smyth.” (Doc. No. 63).

The Clerk is directed to send a copy of this Order to Plaintiff at 1362 Poplar Glen Drive, Kannapolis, NC 28083, which is Plaintiff’s address of record, and to counsel for the Defendants.

IT IS SO ORDERED.

Signed: May 19, 2010

  
\_\_\_\_\_  
Frank D. Whitney  
United States District Judge

