

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:12-CV-00726-MOC-DSC**

MARC A. BOCHICCHIO,)
)
Plaintiff,)
)
v.)
)
AUTOTRADER.COM, INC.,)
)
Defendant.)

THIS MATTER is before the Court on Defendant’s “[Partial] Motion to Dismiss” (document #10) filed January 14, 2013, and the parties’ “Stipulation of Dismissal” (document #15) filed February 14, 2013.

This matter was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636, and this Motion is now ripe for consideration.

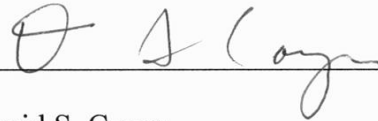
In its Motion, Defendant sought dismissal of Plaintiff’s claims under “the North Carolina Equal Employment Practices Act, N.C. Gen. Stat. §§ 143-422.1 & 143.422.2 (“NCEEPA”), the North Carolina Retaliatory Employment Discrimination Act, N.C. Gen. Stat. § 95-240 (“NCREDA”), Article I, Section 1 of the North Carolina Constitution, and the common law and public policy of the State of North Carolina.” Document #10 at 1. In their Stipulation of Dismissal, the parties have agreed to dismissal of these claims without prejudice.

Accordingly, Defendant’s “Motion to Dismiss” (document #10) is administratively **DENIED** as moot without prejudice.

The Clerk is directed to send copies of this Order to counsel for the parties; and to the Honorable Max O. Cogburn, Jr.

SO ORDERED.

Signed: February 15, 2013

A handwritten signature in cursive script, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

