

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
Civil Action No. 3:13-cv-703-GCM**

**FMW/MJH AT 2604 HILLSBOROUGH  
LLC,**

**Plaintiff,**

**v.**

**WSA CONSTRUCTION, LLC; ALL SEASONS CLEANING SERVICE, INC.; AMERICAN CONCRETE PUMPING, INC.; ASSOCIATED FIRE PROTECTION, INC.; BOYCO CORP. LLC; CAPITOL RECYCLING, LLC; ENGLER, MEIER & JUSTUS, INC. D/B/A CIRCLE SUPPLY OF RALEIGH; CREGGER COMPANY, INC.; E T SALES, INC. D/B/A CAROLINA COUNTERS; EAGLE MAILBOX SALES, INC.; ELITE FLOORING & DESIGN, INC.; FATHER AND SON PAINTING CUSTOM PAINTING; FRANCO MASONRY CONCRETE, INC.; GERDAU AMERISTEEL US INC.; JRF MECHANICAL, INC.; MAZZ WELDING & FABRICATION, INC.; ORLANDO CABALLERO D/B/A OC DRYWALL & STUCCO; PINNACLE FIRE SYSTEMS, INC.; RALEIGH WATERPROOFING, INC.; SCHINDLER ELEVATOR CORPORATION; SUNBELT RENTALS, INC.; SUPERIOR WATERPROOFING, INC.; TALBERT BUILDING SUPPLY, INC.; TRIANGLE NORTH EXTERIORS, INC.; AND ZOCAM PLUMBING, INC.,**

**Defendants.**

**ORDER FOR DISMISSAL AS TO  
DEFENDANT ORLANDO CABALLERO  
D/B/A OC DRYWALL & STUCCO**

**HAVING CONSIDERED** the Consent Motion for Dismissal as to Defendant Orlando Caballero d/b/a OC Drywall & Stucco (“OC”) and the Motion for Dismissal of Plaintiff as to its remaining claims (other than as to OC),

**IT IS ORDERED, ADJUDGED, AND DECREED** that the claims and demands of Plaintiff FMW/MJH at 2604 Hillsborough LLC (“FMW/MJH”) against OC, and the claims and demands of OC against FMW/MJH and WSA Construction, LLC be, and the same hereby are, **DISMISSED**, with prejudice, each party to bear its own costs and expenses.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that any remaining claims of FMW/MJH are dismissed without prejudice.

Signed: October 12, 2017

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge



