Cornell v. Mississippi Lime Company Doc. 19

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

MR. JERRY CORNELL,	)	
	)	CASE NO. 4:13cv2287
Plaintiff,	)	
	)	
v.	)	JUDGE BENITA Y. PEARSON
	)	
MISSISSIPPI LIME CO.,	)	
	)	**MEMORANDUM OF OPINION AND**
Defendant.	)	**ORDER** [Regarding ECF No. 14]

On December 20, 2013, Third-Party Defendant Wellsville Terminal Company ("Wellsville") filed a Motion to Dismiss Third-Party Plaintiff Mississippi Lime Company's ("Mississippi Lime") Third-Party Complaint for failure to state a claim upon which relief can be granted pursuant to Federal Rule of Civil Procedure 12(b)(6). ECF No. 14. Mississippi Lime has not responded.

Pursuant to Local Rule 7.1(d), a memorandum in opposition was due on January 22, 2014. No opposition has been filed. The Court has reviewed Wellsville's motion to dismiss, and finds that it is supported by the record and applicable case law. Accordingly, the Court grants Wellsville's motion, and dismisses Mississippi Lime's Third-Party Complaint.

IT IS SO ORDERED.

January 29, 2014
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge

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