

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

| | | |
|----------------------------|---|--------------------|
| BRENDA G. SMERDON and RENE | : | No.: 4:16-CV-02122 |
| L. SPAULDING, her wife, | : | |
| | : | (Judge Brann) |
| Plaintiffs, | : | |
| | : | |
| v. | : | |
| | : | |
| GEICO CASUALTY COMPANY, | : | |
| | : | |
| Defendant, | : | |
| | : | |
| v. | : | |
| | : | |
| WAL-MART STORES, INC., | : | |
| | : | |
| Third Party Defendant. | : | |

ORDER

AND NOW, this 9th day of June 2017, in accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Wal-Mart’s Motion to Dismiss GEICO’s Third Party Complaint, ECF No. 16, is **GRANTED WITH PREJUDICE**.
2. The Clerk of Court is directed to terminate Third Party Defendant Wal-Mart and schedule an initial case management conference.

BY THE COURT:

s/ Matthew W. Brann
 Matthew W. Brann
 United States District Judge