IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE WINCHESTER DIVISION

)
)
)
)
) Case No. 4:12-cv-00084
) JURY DEMAND
)
)
)

AGREED ORDER AND STIPULATION SUBSTITUTING WAL-MART STORES EAST, LP, AS THE PROPER DEFENDANT

As evidenced by the signatures below of the parties' lawyers, it appears to the Court that Wal-Mart Stores East, LP, is the proper defendant in this matter.

It is therefore ORDERED, ADJUDGED, AND DECREED that Wal-Mart Stores East, LP, is hereby substituted for Wal-Mart Stores, Inc., as the defendant in this action.

It is further ORDERED that Wal-Mart Stores, Inc., is hereby dismissed without prejudice.

Wal-Mart Stores East, LP, is the only remaining defendant. IT IS SO ORDERED.

ENTER this the day of , 2013.

s/ Susan K, Lee SUSAN K. LEE UNITED STATES MAGISTRATE JUDGE

APPROVED FOR ENTRY:

s/ Maria T. de Quesada
G. Andrew Rowlett, No. 16277
Maria T. de Quesada, No. 24389
HOWELL & FISHER, PLLC
Court Square Building
300 James Robertson Parkway
Nashville, TN 37201-1107
(615) 244-3370
arowlett@howell-fisher.com
mdequesada@howell-fisher.com
Attorneys for defendant

s/ R. Whitney Stevens (with express permission by M. de Quesada)
R. Whitney Stevens, Jr., No. 2442
P. O. Box 428
Fayetteville, TN 37334
(931) 433-5704
wking@fpunet.com
Attorney for Plaintiff

s/ Robert S. Peters (with express permission by M. de Quesada)
Robert S. Peters, No. 3630
120 North Jefferson St.
Winchester, TN 37398
(931)967-3888
rspeters@spphlaw.com
Attorney for plaintiff

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was electronically filed with the Court, and should therefore be sent via the Court's electronic filing system to: Whitney Stevens, Jr., Esq., P. O. Box 428, Fayetteville, TN 37334, and Robert S. Peters, 120 North Jefferson St., Winchester, TN 37398, attorneys for plaintiff, on this the $22^{\rm ND}$ day of January 2013.

s/ Maria T. de Quesada

F:\MTQ\MTQ\A\Mann, Peggy\Agreed order substitution of correct WM entity.01.22.13 TO FILE.wpd