

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED

MAR 30 2011

JULIA M. DUDLEY, CLERK
BY: *J. Charles*
DEPUTY CLERK

JAMES BROOKS, DONALD HAMLETTE, and
SAMUEL ST. JOHN,

Plaintiffs,

v.

HOWARD R. ARTHUR, SR., in his individual
capacity, and RANDAL W. MITCHELL,

Defendants.

CASE No. 6:08-cv-00028

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court upon Defendants' Motion to Dismiss Complaint of Samuel L. St. John, Deceased, filed on February 25, 2011 (docket no. 56).

For the reasons set forth in the accompanying Memorandum Opinion, Defendants' motion is hereby DENIED.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record.

It is so ORDERED.

ENTERED this 30th day of March, 2011.

Norman K. Moon
NORMAN K. MOON
UNITED STATES DISTRICT JUDGE