

NOV 12 2013

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

HARVEY L. MARTIN, JR.,)
)
 Plaintiff,)
)
 v.)
)
 YOKOHAMA TIRE CORPORATION,)
)
 Defendant.)
 _____)

Civil Action No. 7:11-CV-00244
Civil Action No. 7:11-CV-00467
ORDER AND FINAL JUDGMENT

By: **Hon. James C. Turk**
Senior United States District Judge

For the reasons set forth in the Memorandum Opinion entered this day, it is hereby **ORDERED** that Defendant's motion for summary judgment (ECF No. No. 32) is **GRANTED IN PART and DENIED IN PART.**

The Clerk is directed to send copies of this Order and accompanying Memorandum Opinion to all counsel of record. In light of the prior consolidation of these two cases, the Court also directs the Clerk to administrative close Civil Action NO. 7:11-cv-467 and strike it from the active docket of this Court. Any future filings by any party or by the Clerk shall be filed only in Civil Action No. 7:11-cv-244.

ENTER: This 12th day of November, 2013.

[Signature]
James C. Turk
Senior United States District Judge