

FILED

MAR 07 2011

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

**U.S. DISTRICT COURT
CLARKSBURG, WV 26301**

CLARKSBURG DIVISION

SHEME ELECTRIC, L.L.C.,

Plaintiff,

v.

Case No. 1:10-CV-0141

TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA,

Defendant.

ORDER

This matter came before the Court on Plaintiff’s “Motion to Withdraw ‘Motion to Compel Discovery’ and ‘Motion and Application for Expenses, Including Attorneys’ Fees’ and Vacate February 15, 2011 Order/Opinion.” The basis for the requested relief was the ultimate resolution of the pending litigation, a condition of which is the relief requested by the Plaintiff in its pending Motion. The Court, perceiving no objection to the said Motion and finding the same to be consistent with the interests of justice and judicial economy, **FINDS** that the said Motion should be **GRANTED**.

Wherefore, it is **ORDERED** that:

- (1) Plaintiff’s Motion to Compel Discovery is hereby deemed to be **WITHDRAWN**;
- (2) Plaintiff’s Motion and Application for Expenses, Including Attorneys’ Fees is hereby deemed to be **WITHDRAWN**; and,
- (3) The Order/Opinion of this Court entered on or about February 15, 2011 granting Plaintiff’s Motion to Compel Discovery is hereby **VACATED**.

ENTER: March 7, 2011

John S. Kauer
UNITED STATES MAGISTRATE JUDGE
ND WV

Prepared By:

/s/ Allison S. McClure

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