

United States District Court
Eastern District of North Carolina

RICHARD NORDAN, as Ancillary
Administrator for the separate Estates
of STEPHEN S. HELVENSTON,
MIKE R. TEAGUE, JERKO GERALD
ZOVKO and WESLEY J.K. BATALONA,
Plaintiffs,

v.

Judgment in a Civil Case
Case Number: 5:05-CV-48-FL(1)

BLACKWATER SECURITY
CONSULTING, LLC; BLACKWATER
LODGE AND TRAINING CENTER,
INC., and JUSTIN L. McQUOWN,
Defendants.

X Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED, ADJUDGED and DECREED that the court GRANTS plaintiff's motion to remand, pursuant to 28 U.S.C. 1447 (c). Where the court lacks subject matter jurisdiction over this action , the court DENIES AS MOOT defendants' motions to dismiss brought under Federal Rules of Civil Procedure 12(b)(6) and 9(b). This case is hereby REMANDED to the Superior Court of Wake County, North Carolina. The Clerk is DIRECTED to serve a copy of this order on the Clerk of Superior Court of Wake County, North Carolina..

SO ORDERED - s/Louise W. Flanagan, Chief United States District Judge

This Judgment filed and entered on August 11, 2005 and copies mailed to:

Clerk of Superior Court
Wake County
P. O. Box 351
Raleigh, NC 27602

Patricia L. Holland
Cranfill Sumner & Hartzog
P. O. Box 27808
Raleigh, NC 27611-7808

Rachel Esposito
Cranfill Sumner Hartzog
P. O. Box 27808
Raleigh, NC 27611-7808

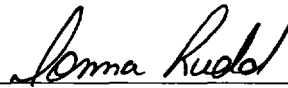
Kirk Warner
Smith Anderson Blount
P. O. Box 2611
Raleigh, NC 27602-2611

David F. Kirby
Kirby & Holt
P. O. Box 31665
Raleigh, NC 27622-2065

Mark Ash
Smith Anderson Blount
P. O. Box 2611
Raleigh, NC 27602-2611

William Bystrynski
Kirby & Holt
P. O. Box 31665
Raleigh, NC 27622

FRED L BORCH III, CLERK



(by) Deputy Clerk