

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATHAN LINDELL,

Plaintiff,

v.

THE LANDIS CORPORATION 401(K) PLAN;
LANDIS CONSTRUCTION COMPANY;
ETHAN LANDIS, individually and in his capacity
as an officer; HUGH JEFFREY FOX, PLAN
ADMINISTRATOR of the LANDIS
CORPORATION 401(K) PLAN; and JOHN
DOES 1-5, Fiduciaries,

Defendants.

Civil Action No. 08-1462 (PLF)

ORDER

For the reasons stated in the Memorandum Opinion issued this same day, it is
hereby

ORDERED that defendants' motion to dismiss [3] is granted in part and denied in
part; it is

FURTHER ORDERED that defendants Landis Construction Company and Ethan
Landis, individually and in his capacity as an officer, are dismissed from the case; the remaining
defendants will not be dismissed; and it is

FURTHER ORDERED that on or before August 11, 2009 the parties shall submit a joint report to the Court indicating how they wish to proceed.

SO ORDERED.

/s/
PAUL L. FRIEDMAN
United States District Judge

DATE: July 28, 2009