

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ROBERT H. MAJOR, JR., et al.,

Plaintiff,

v.

**PLUMBERS LOCAL UNION NO. 5 OF
THE UNITED ASSOCIATION OF
JOURNEYMEN AND APPRENTICES OF
THE PLUMBING AND PIPEFITTING
INDUSTRY OF THE U.S. AND CANADA,
AFL-CIO, et al.,**

Defendants.

Civil Action No. 03-0009 (JDB)

ORDER

Upon consideration of defendants' motions to dismiss, the several memoranda filed by the parties, and for the reasons stated in the Memorandum Opinion issued on this date, it is hereby

ORDERED that [68] John J. Kirlin, Inc.'s motion to dismiss is **GRANTED** in part and **DENIED** in part (without prejudice to refile a laches defenses); it is further

ORDERED that the claims of Jerome B. Treadwell, Michael R. Seasay, Tracy L. Barrington, Robert H. Major, Jr., Tyrone Hagan, Terrence Hughes, and Eliza Hunter against John J. Kirlin, Inc. are dismissed; it is further

ORDERED that [70 & 73] Plumbers Local Union No. 5's motion to dismiss is **GRANTED** in part and **DENIED** in part (without prejudice to refile a laches defenses); it is further

ORDERED that the claims of Jerome B. Treadwell, Michael R. Seasay, Robert H.

Major, Jr., Roger Harley, Sr., Tyrone Hagan, Eliza Hunter, and Lee S. Walker against Plumbers Local Union No. 5 are dismissed; it is further

ORDERED that the motions to dismiss of [69] Pierce and Associates, [71] Joint Plumbing Apprentice and Training Committee, [72] The Poole & Kent Corp., and [74] Giant Food Stores, Inc. are **GRANTED**; it is further

ORDERED that Giant Food Stores, Inc.'s motion for summary judgment on the claims of Robert H. Major, Jr. and Lee S. Walker is **GRANTED**; it is further

ORDERED that judgment is entered in favor of Pierce and Associates, Joint Plumbing Apprentice and Training Committee, The Poole & Kent Corp., and Giant Food Stores, Inc.; it is further

ORDERED that plaintiffs' claims against Mechanical Contractors District of Columbia Association and Parker-Kirlin JV are dismissed for failure to prosecute; and it is further

ORDERED that a status conference is scheduled for April 21, 2005 at 9:00 a.m.

/s/ John D. Bates
JOHN D. BATES
United States District Judge

Dated: March 29, 2005

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