

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

ALYSSON MILLS, IN HER CAPACITY AS
RECEIVER FOR ARTHUR LAMAR
ADAMS AND MADISON TIMBER
PROPERTIES, LLC

PLAINTIFF

VS

CAUSE NO. 3:19-cv-364-CWR-FKB

THE UPS STORE, INC.; HERRING
VENTURES, LLC d/b/a THE UPS STORE;
AUSTIN ELSEN; TAMMIE ELSEN; COURTNEY
HERRING; DIANE LOFTON; CHANDLER
WESTOVER; RAWLINGS & MACINNIS, PA;
TAMMY VINSON; and JEANNIE CHISHOLM

DEFENDANTS

**DEFENDANTS HERRING VENTURES, LLC, AUSTIN ELSEN, TAMMIE ELSEN,
COURTNEY HERRING, DIANE LOFTON AND CHANDLER WESTOVER'S
JOINDER IN [152] THE UPS STORE, INC.'S REPLY IN SUPPORT OF ITS
MOTION TO DISMISS**

COME NOW Defendants, Herring Ventures, LLC, Austin Elsen, Tammie Elsen, Courtney Herring, Diane Lofton and Chandler Westover, by and through their undersigned counsel of record, Rushing & Guice, P.L.L.C., and file this, their Joinder in [152] The UPS Store, Inc.'s Reply in Support of its [138] Motion to Dismiss for Lack of Subject Matter Jurisdiction. Defendants hereby incorporate by reference and join in the aforementioned [152] Reply in Support of [138] Motion to Dismiss and its [139] Memorandum in Support, and all the arguments made and authorities cited therein.

Defendants Herring Ventures, LLC, Austin Elsen, Tammie Elsen, Courtney Herring, Diane Lofton and Chandler Westover would show that they are entitled to a dismissal of all claims against

them based on the same arguments and authorities offered by The UPS Store, Inc. in its [138] Motion to Dismiss, [139] Memorandum in Support and [152] Reply Memorandum of Law.

WHEREFORE, PREMISES CONSIDERED, Defendants, Herring Ventures, LLC, Austin Elsen, Tammie Elsen, Courtney Herring, Diane Lofton and Chandler Westover, would ask that this court grant the relief requested in the [138] Motion to Dismiss for Lack of Subject Matter Jurisdiction and dismiss the [14] Amended Complaint with prejudice as to all Defendants, and in particular as to Movants herein. Defendants further pray for any relief the Court may find just and proper in the premises.

Respectfully submitted this 8th day of October, 2020.

RUSHING & GUICE, P.L.L.C.

/s/ R. Scott Wells

R. SCOTT WELLS MSBN 9456
WILLIAM LEE GUICE III MSBN 5059
RUSHING & GUICE, P.L.L.C.
Post Office Box 1925
Biloxi, MS 39533-1925
Telephone: 228-374-2313
Fax: 228-875-5987
swells@rushingguice.com
bguice@rushingguice.com

CERTIFICATE

I HEREBY CERTIFY that on the 8th day of October, 2020, a copy of the foregoing was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all known counsel of record by operation of the Court's electronic filing system.

This the 8th day of October, 2020

/s/ R. Scott Wells

R. SCOTT WELLS