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Thursday, 28 October, 2010 12:03:19 PM
Clerk, U.S. District Court, ILCD

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION**

MACIO P. TOOLEY

Plaintiff,

v.

WASHINGTON GROUP
INTERNATIONAL, INC., and
URS CORPORATION

Defendants,

and

WASHINGTON GROUP
INTERNATIONAL, INC

Third-Party Plaintiff

v.

CATERPILLAR INC.,

Third-Party Defendant.

Case No. 08-cv-1084

ORDER & OPINION

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and the Stipulation for Dismissal signed by Defendant/Third Party Plaintiff Washington Group International, Inc., and Third Party Defendant Caterpillar, Inc. (Doc. 113), Defendant/Third Party Plaintiff's Third Party Complaint against Third Party Defendant is DISMISSED WITH PREJUDICE with each party to bear their own costs. IT IS SO ORDERED.

Entered this 28th day of October, 2010.

s/ Joe B. McDade

JOE BILLY McDADE
United States Senior District Judge