

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**HEARTLAND COMMUNICATIONS, LLC,)
a Nebraska limited liability company,)**

CASE NO. 8:09CV164

Plaintiff,)

**ORDER AND
FINAL JUDGMENT**

v.)

**HEARTLAND COMMUNICATIONS &)
SERVICES, INC., a Nebraska)
corporation,)**

Defendant.)

This matter is before the Court on the joint stipulation for dismissal of Heartland Communications, LLC, and Heartland Communications & Services, Inc. (Filing No. 23). The stipulation complies with the requirements of Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court concludes that it should be approved. Each party will bear its own costs and attorney fees. Accordingly,

IT IS ORDERED:

1. The parties' Joint Stipulation for Dismissal without Prejudice (Filing No. 23) is approved;
2. All claims asserted by Plaintiff Heartland Communications, LLC, against Heartland Communications & Services, Inc. are dismissed without prejudice; and
3. Each party will pay its own costs and attorney fees.

DATED this 10th day of December, 2009.

BY THE COURT:

S/Laurie Smith Camp
United States District Judge