

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

LARRY STOUDMIRE,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:12cv1055-MHT
)	(WO)
U.S. XPRESS, INC.,)	
)	
Defendant.)	

JUDGMENT

In accordance with the opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The motion, filed by plaintiff Larry Stoudmire, to set aside the court's prior judgment and reinstate the case (doc. no. 14) is granted.

(2) The judgment (doc. no. 13) is vacated and this case is reopened.

(3) The motions, filed by plaintiff Stoudmire, to abrogate the settlement agreement, require plaintiff Stoudmire's former attorney Julian McPhillips to refund

the fee, and to dismiss fee lien (doc. nos. 26 and 28) are denied.

(4) The motion to enforce settlement filed by defendant U.S. Xpress, Inc. (doc. no. 17) is granted.

(5) The settlement agreement (doc. no. 17-1) (exh. 4) is adopted as the order of the court.

(6) Plaintiff Stoudmire and defendant U.S. Xpress, Inc. are ENJOINED and RESTRAINED from failing to enforce their settlement agreement (doc. no. 17-1) (exh. 4).

(7) This lawsuit is dismissed as to plaintiff Stoudmire's federal claim or claims.

(8) This lawsuit is not dismissed as to the settlement agreement (doc. no. 17-1) (exh. 4), which has been adopted as the order of the court, that is, the court retains jurisdiction of this aspect of the case.

It is further ORDERED that all other pending motions are denied as moot.

It is further ORDERED that the parties are to bear their own costs.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed again.

DONE, this the 3rd day of April, 2013.

 /s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE