

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**NORFOLK SOUTHERN RAILWAY
COMPANY,**)

Plaintiff,)

vs.)

CIVIL ACTION NO 06-0288-KD-C

**ROLISON TRUCKING CO., LLC.,
GAIL W. ROLISON, and RONNY P.
JOHNSON,**)

Defendants.)

ORDER

In September 2006, this action was stayed (doc. 25). The last status report was received June 25, 2008 wherein the parties reported that the underlying state court action had not been resolved but that trial was set for the week of September 22, 2008 (doc. 37). Accordingly, the parties are **ORDERED** to file a **brief joint status report** to advise the court as to the status of the underlying state case, on or before **February 13, 2009**.

DONE this the 13th day of January, 2009.

s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE