

**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 13<sup>th</sup> day of January, 2009.

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