

**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). On June 25, 2008, the Court received a status report 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). On February 13, 2009, the Court received a status report wherein the parties reported that the underlying state court action has been reset for trial during the week of March 30, 2009, and that discovery is ongoing. (Doc. 40). 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 **May 18, 2009**.

DONE this the 17th day of February, 2009.

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