

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

<b>WHITNEY BANK,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL ACTION NO. 11-0528-KD-N</b>
	)	
<b>CHARLES ANTHONY STUBBS and</b>	)	
<b>BEVERLY STUBBS,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

This action is before the Court on the joint stipulation of dismissal wherein the parties stipulate to the dismissal of this action without prejudice with each party to bear their own costs. (Doc. 38). The stipulation is signed by all parties who appeared in this action. Therefore, upon consideration of the stipulation and pursuant to the provisions of Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, this action is **DISMISSED without prejudice** and the Clerk of the Court is directed to close this file.

No other order shall be forthcoming from the Court except upon application by either party for final judgment as prescribed by Rule 58 of the Federal Rules of Civil Procedure.

Each party shall bear their own costs as stipulated

DONE and ORDERED this 9th day of March, 2012.

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