

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

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|---------------------------------|---|--|
| CYNTHIA Y. DAVIS, |) | |
| Plaintiff, |) | |
| v. |) | CIVIL ACTION NO. 2:08-0436-KD-M |
| CITY OF MARION, ALABAMA, |) | |
| Defendant. |) | |

ORDER

The parties have notified the Court that they have reached a settlement agreement but thirty days are necessary to complete the settlement documents. Accordingly, it is **ORDERED** that the above-styled case be **DISMISSED without prejudice**¹ from the active docket of this court subject to the right of any party to reinstate the action within thirty (30) days of the date of this order should the settlement agreement not be consummated.

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

Each party shall bear their own costs unless otherwise agreed by the parties.

DONE and **ORDERED** this the 4th day of May, 2009.

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

¹ Unless otherwise stated, the dismissal is without prejudice. Fed. R. Civ. P. Rule 41(a)(1)(B).