

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

JOHN AND KIM McCLUNG,

PETITIONERS

v.

Case No. 1:13-cv-00044-KGB

**GLEN A. MASSET, COLONEL, in his official
capacity as District Engineer, Little Rock District,
U.S. ARMY CORPS OF ENGINEERS;
and the U.S. DEPARTMENT OF THE ARMY,**

RESPONDENTS

ORDER

Before the Court is petitioners' motion for temporary restraining order to stay final agency action (Dkt. No. 2). The Court opted to treat petitioners' motion as a request for a preliminary injunction and set a preliminary injunction hearing on August 21, 2013 (Dkt. Nos. 4, 7). The parties subsequently filed a notice of their agreement to stay implementation of the final agency action, which resolves petitioners' request for a preliminary injunction (Dkt. No. 12). In view of the parties' agreement, petitioners' motion for temporary restraining order is denied as moot (Dkt. No. 2). The preliminary injunction hearing scheduled for August 21, 2013 is canceled.

SO ORDERED this the 19th day of August, 2013.



Kristine G. Baker
United States District Judge