Thompson v. Life Insurance Company of North America

Doc. 32

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

EVELYN THOMPSON

v.

Case No. 1:14-cv-00041 KGB

LIFE INSURANCE COMPANY OF NORTH AMERICA

DEFENDANT

PLAINTIFF

<u>ORDER</u>

Before the Court is plaintiff Evelyn Thompson's stipulation of dismissal without prejudice (Dkt. No. 29). Ms. Thompson requests that her claims against defendant Life Insurance Company of North America ("LINA") be dismissed without prejudice, with each party bearing its own costs and attorneys' fees. Counsel for LINA has signed this stipulation of dismissal without prejudice. Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the Court dismisses without prejudice Ms. Thompson's claims against LINA. Each party will bear its own costs and fees incurred in the litigation.

Prior to this stipulation of dismissal without prejudice, LINA filed an unopposed motion for extension of time to answer the second amended complaint (Dkt. No. 28). Because the Court has dismissed Ms. Thompson's claims against LINA, the Court denies as moot this motion for extension of time (Dkt. No. 28). Ms. Thompson's claims against ConAgra Foods, Inc., and ConAgra Foods, Inc. Long-Term Disability Plan X60 remain pending.

SO ORDERED this 9th day of December, 2014.

M. Palue

Kristine G. Baker United States District Judge