

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

J. O. HOUSE  
and HEATH & HOUSE  
CONSTRUCTION CO., INC.,

Plaintiffs,

vs.

No. 3:06cv0067 SWW

CONSECO INSURANCE GROUP,

Defendant.

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ORDER

Plaintiffs' motion for voluntary dismissal without prejudice [doc.#144] has been considered by the Court and is hereby granted pursuant to Fed.R.Civ.P. 41(a)(2). As a condition to refiling this action, plaintiffs will be required to reimburse defendant any reasonable costs it will incur in having to duplicate matters from this action.

IT IS SO ORDERED this 5<sup>th</sup> day of January 2009.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE