

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

JIMMY ASHLEY

PLAINTIFF

VS.

CASE NO. 3:08CV0022 JMM

VIKING CAPITAL, LLC.

DEFENDANT

ORDER OF DISMISSAL

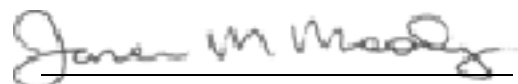
The parties have filed a Joint Stipulation of Dismissal with Prejudice in the above styled case.

IT IS THEREFORE ORDERED that the complaint is dismissed with prejudice and except as set forth in the settlement agreement, each party shall bear his or its own attorneys' fees and costs.

The Court retains complete jurisdiction for 60 days to vacate this order and to reopen the action if it is satisfactorily shown that settlement has not been completed and further litigation is necessary. The parties may also file any stipulation or settlement agreement within the above stated time.

IT IS FURTHER ORDERED that all pending motions and counterclaims are denied as being moot, and the case is to be closed.

IT IS SO ORDERED this 4 day of December, 2008.



James M. Moody
United States District Judge