

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

UTC OVERSEAS, INC.; AND AIRPORT
CLEARANCE SERVICE, INC. D/B/A ACS LINE

PLAINTIFFS

v.

NO. 3:10 CV-00067-JMM

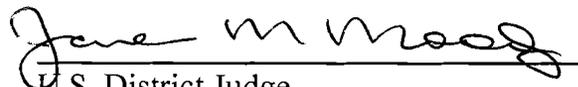
SMS DEMAG AG; AND ALLIANZ GLOBAL
CORPORATE SPECIALTY (A/K/A AGCS
MARINE INSURANCE COMPANY); FITZLEY INC.

DEFENDANTS

ORDER OF DISMISSAL

Pending before the court is the plaintiffs' motion to dismiss. A compromise has been reached between plaintiffs and separate defendants SMS Demag AG and Allianz Global Corporate Specialty (a/k/a AGCS Marine Insurance Company), and those claims may be dismissed with prejudice. Plaintiffs seek to dismiss their claims against Fitzley Inc., without prejudice. Upon consideration of the pleadings and statements of counsel, the Court finds there is good and sufficient cause to grant the motion.

IT IS, THEREFORE, ORDERED that this action against SMS Demag AG and Allianz Global Corporate Specialty (a/k/a AGCS Marine Insurance Company) is dismissed with prejudice, and that this action against Fitzley, Inc., is dismissed without prejudice, with the parties to bear their own legal fees and costs.



U.S. District Judge

Date: 12/22/10

APPROVED BY:

Cameron W. Roberts (CA Bar – 176682)
ROBERTS & KEHAGIARAS LLP
5777 West Century Boulevard, Suite 1410
Los Angeles, California 90045
Phone: (310) 642-9800
Fax: (310) 868-2923
cwr@tradeandcargo.com

And

WILCOX PARKER HURST
LANCASTER & LACY PLC
P.O. Box 1733
Jonesboro, AR 72403-1733
Phone (870) 268-7602
Fax (870) 931-3102

By /s/ Harry S. Hurst, Jr.
Harry S. Hurst, Jr. (88116)
Attorneys for Plaintiffs
hhurst@wphll.com