

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
LITTLE ROCK DIVISION**

**J.V. BRADY, Individually and as Special  
Administrator for the Estate of Janet Lee  
Brady, Deceased**

**PLAINTIFF**

v.

**CASE NO. 4:07-CV-00619 BSM**

**ESTATE OF HUGH RAINS; I.H.R.  
ADMINISTRATIVE SERVICES, INC.;  
and CESSNA AIRCRAFT COMPANY**

**DEFENDANTS**

**AUTO-OWNERS INSURANCE COMPANY**

**INTERVENOR**

**ORDER**

Presently before the court are the motion for voluntary dismissal as to Cessna Aircraft Company (“Cessna”) filed by plaintiff J.V. Brady, individually and as special administrator for the estate of Janet Lee Brady (Doc. No. 43) and intervenor Auto-Owners Insurance Company’s (“Auto-Owners”) motion for voluntary dismissal as to Cessna Aircraft Company (Doc. No. 44).

Plaintiff states that he has reached a settlement with defendants the Estate of Hugh Rains, deceased, and I.H.R. Administrative Services, Inc. Plaintiff further states that he is still waiting for the National Transportation Safety Board to issue its final report and conclusions. Plaintiff requests that the court dismiss its claims against Cessna without prejudice. Intervenor Auto-Owners states that its claims are identical to plaintiff’s claims and are asserted to preserve its lien on any amounts recovered by plaintiff. Therefore, Auto-

Owners also requests that its claims against Cessna without prejudice. Defendant Cessna has informed the court that it has no objection to either motion. The court will grant the motions.

Accordingly, plaintiff's motion for voluntary dismissal as to defendant Cessna Aircraft Company (Doc. No. 43) and intervenor's motion for voluntary dismissal as to defendant Cessna Aircraft Company (Doc. No. 44) are granted. Defendant Cessna Aircraft Company is dismissed without prejudice. The pending motions to compel filed by defendant Cessna Aircraft Company (Doc. Nos. 39 and 40) and the motion for extension of time to respond to the motions to compel (Doc. No. 41) are denied as moot.

IT IS SO ORDERED THIS 4th day of March, 2009.

  
UNITED STATES DISTRICT JUDGE