

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

**BARBARA BROWN**

**PLAINTIFF**

**v.**

**4:08CV00089-WRW**

**J.B. HUNT TRANSPORT SERVICES, INC.**

**DEFENDANT**

**ORDER**

The Eighth Circuit Court of Appeals reversed this Court's finding that Plaintiff had failed to exhaust her administrative remedies.<sup>1</sup> The Eighth Circuit remanded the case to this Court, with instructions for this Court to remand to Prudential for an out-of-time appeal. Accordingly, this Court's findings as to Plaintiff's claims for benefits as set out in Count I are vacated, and the case is remanded to Prudential for an out-of-time appeal.

IT IS SO ORDERED this 17<sup>th</sup> day of December, 2009.

/s/Wm. R. Wilson, Jr.  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>Doc. No. 104.