

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

ROBERT PORTER

PLAINTIFF

V.

4:08CV00637-WRW

**HARTFORD LIFE & ACCIDENT INSURANCE
COMPANY**

DEFENDANT

ORDER

Pending is the parties' Joint Motion Requesting the Court to Withdraw and Vacate its Order and Judgment Entered April 23, 2009, and its Order Entered July 2, 2009 (Doc. No. 71).

Defendant appealed this case to the United States Court of Appeals for the Eighth Circuit.¹ The parties, through the mediation efforts of John Martin at the Court of Appeals, have resolved all issues with respect to this case. As part of their resolution, the parties jointly request that the Court withdraw its Order and Judgment granting Plaintiff summary judgment (Doc. Nos. 44, 45), as well as the Order granting attorneys' fees to Plaintiff (Doc. No. 63).

The parties' Motion is GRANTED. The Order and Judgment (Doc. Nos. 44, 45) entered on April 23, 2009, and the Order (Doc. No. 63) entered on July 2, 2009, are WITHDRAWN and VACATED.

IT IS SO ORDERED this 31st day of August, 2009.

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

¹Doc. No. 64.