

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

IRON WORKERS LOCAL NO. 25 PENSION FUND;  
INDIANA LABORERS PENSION FUND;  
IRON WORKERS DISTRICT COUNCIL OF  
WESTERN NEW YORK; VICINITY PENSION FUND;  
THE NEW JERSEY BUILDING LABORERS  
PENSION AND ANNUITY FUNDS; and  
HERB LAIR

PLAINTIFFS

v.

No. 4:09CV00405 JLH

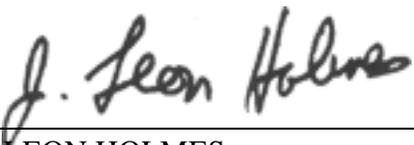
PAUL G. ALLEN; ELOISE SCHMITZ;  
and NEIL SMIT

DEFENDANTS

**ORDER**

On September 15, 2011, the lead plaintiffs in this action, Iron Workers Local No. 25 Pension Fund, Indiana Laborers Pension Fund, and Iron Workers District Council of Western New York and Vicinity Pension Fund, moved that this action be dismissed without prejudice. The time for response has expired, and no party has responded. Therefore, without objection, the motion to dismiss is GRANTED. Document #61. This action is hereby dismissed without prejudice.

IT IS SO ORDERED this 3rd day of October, 2011.

  
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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE