

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

JIMMY McDONALD

PLAINTIFF

vs.

CASE NO. 4:10cv00265 JMM

UNION PACIFIC RAILROAD COMPANY

DEFENDANT

ORDER OF DISMISSAL

Having been notified that a settlement has been reached in this matter, the Court finds that this case should be dismissed. The jury trial scheduled July 11, 2011, is canceled. The pending motion (DE #9) is moot.

The complaint and all claims in this action are hereby dismissed with prejudice.

The Court retains complete jurisdiction for 60 days to vacate this order and to reopen the action if it is satisfactorily shown that settlement has not been completed and further litigation is necessary. If the parties desire any settlement agreement be made a part of the record herein, they are directed to reduce it to writing and file with the Court within 30 days of the date of this order.

IT IS SO ORDERED this 5th day of May, 2011.


UNITED STATES DISTRICT JUDGE