

**IN THE UNITED STATES DISTRICT COURTS
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

CORY NIXON, *et al.*

PLAINTIFFS

v.

Case No. 4:11-cv-00578-KGB

COSTNER EXCAVATING, INC., *et al.*

DEFENDANTS

ORDER

Before the Court is the parties' joint stipulation of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii) (Dkt. No. 173). The parties stipulate that this action has been resolved and request that all claims in this action against defendants be dismissed with prejudice. Accordingly, all claims in this action are hereby dismissed with prejudice.

The parties also stipulate that this Court retains jurisdiction until February 28, 2015, to enforce the terms of the settlement agreement, vacate this Order of dismissal, and reopen the action if it is satisfactorily shown that resolution has not been completed and further litigation is necessary. Accordingly, the Court retains such jurisdiction.

SO ORDERED this 17th day of January, 2014.



KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE