

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

**PHILLIP T. THOMPSON**

**PLAINTIFF**

**v.**

**Case No. 4:13-cv-00120-KGB**

**BANK OF NEW YORK MELLON  
TRUST COMPANY, *et al.***

**DEFENDANTS**

**ORDER**

Before the Court is defendant Bank of New York Mellon Trust Company (“BONY”)’s unopposed motion to dismiss with prejudice any remaining claims asserted in this action (Dkt. No. 302). Defendant states that the parties have reached an agreement to resolve their dispute and dismiss with prejudice any remaining claims pending in the above-captioned lawsuit, with each party to bear his or its own costs and attorneys’ fees (*Id.*, ¶¶ 3-4). Defendant asserts that plaintiff and counter-defendant Phillip T. Thompson does not oppose this motion (*Id.*, ¶ 5). For good cause shown, the Court grants defendant’s unopposed motion to dismiss with prejudice. The Court dismisses with prejudice any remaining claims pending in this lawsuit, with each party to bear his or its own costs and attorneys’ fees. Consequently, the Court also denies as moot BONY’s motion for appointment of commissioner (Dkt. No. 299).

It is so ordered this 3rd day of October, 2019.



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Kristine G. Baker  
United States District Judge