

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

**CITY OF DARDANELLE and
YELL COUNTY WILDLIFE FEDERATION**

PLAINTIFFS

v.

No. 4:14-cv-98-DPM

**DEPARTMENT OF TRANSPORTATION;
FEDERAL HIGHWAY ADMINISTRATION;
ARKANSAS STATE HIGHWAY &
TRANSPORTATION DEPARTMENT;
RIVER VALLEY REGIONAL INTERMODAL
AUTHORITY; and DEPARTMENT OF DEFENSE,
United States Army Corps of Engineers,
Little Rock District**

DEFENDANTS

ORDER

The Endangered Species Act claims against all defendants are dismissed without prejudice for lack of pre-suit notice. *No. 28*. For the reasons stated on the record at today's hearing, the United States Army Corps of Engineers's motion to dismiss, *No. 28*, is granted. All claims against the Corps are dismissed without prejudice. The Federal Highway Administration's deadline for filing the administrative record is extended without objection to 10 October 2014.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

28 August 2014