

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

**JONATHAN MURPHY d/b/a MURPHY
TRUCKING and VINCENT BANISTER**

PLAINTIFFS

v.

No. 4:20-cv-890-DPM

**BUNGE NORTH AMERICA, INC. and
KRIS TILLIE**

DEFENDANTS

ORDER

In September 2020, the Court ordered Murphy and Banister to pay some sunk attorney's fees and costs incurred by Bunge in the years-long state-court predecessor of this case. That payment was the condition of re-starting this litigation. *Doc. 9.* After six months of no activity, Bunge moved to dismiss. In March 2021, the Court denied that motion without prejudice – but warned Murphy and Banister that they had to pay within two months or show cause why the Court should not dismiss with prejudice for failure to prosecute. *Doc. 12.* They have not paid. And they have not indicated that they cannot pay or provided a good reason that this old case should not end. All material things of record considered, the stay is lifted and the Court will therefore dismiss this case with prejudice for failure to prosecute. FED. R. CIV. P. 41(b).

So Ordered.

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

4 June 2021