

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

BILLY BATTLES

PLAINTIFF

V.

5:08CV117 JMM

MARK TOWNSEND and  
SOUTHERN TIRE MART, LLC

DEFENDANTS


ORDER OF DISMISSAL

The Court has been notified by the parties that this action has been settled.

IT IS THEREFORE ORDERED that this action is dismissed with prejudice. The Court retains complete jurisdiction until December 11, 2008, to rule on subsequent motions and to vacate this order to enforce the settlement agreement if the parties do not perform as required under the agreement and further litigation is necessary. The parties may also file any stipulation or settlement agreement within the above stated time.

IT IS FURTHER ORDERED that the Motion to Dismiss (docket # 10) is moot. The jury trial scheduled March 30, 2009, is canceled.

Dated this 23<sup>rd</sup> day of October 2008.

  
UNITED STATES DISTRICT JUDGE