

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
EL DORADO DIVISION

ROBERT J. RAY and  
AMELIA RAY

PLAINTIFFS

VS.

CASE NO. 07-CV-1076

MARCUS THOMAS

DEFENDANT

**ORDER**

Before the Court is the Second Joint Motion for Summary Judgment filed by Defendant Marcus Thomas.<sup>1</sup> (Doc. 43). Plaintiffs Robert Ray and Amelia Ray have responded. (Doc. 46). Defendant Thomas replied. (Doc. 46). For reasons discussed in the Memorandum Opinion of even date, the Court finds that Defendant Thomas's Joint Motion for Summary Judgment should be and hereby is **GRANTED**. Plaintiffs' claims against Defendant Thomas are dismissed without prejudice.

**IT IS SO ORDERED**, this 21st day of August, 2009.

/s/ Harry F. Barnes  
Hon. Harry F. Barnes  
United States District Judge

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<sup>1</sup> At the time the Second Joint Motion for Summary Judgment (Doc. 43) was filed Albemarle Corporation was also a Defendant in this case. However, the Court previously dismissed Albemarle Corporation and rendered the Second Joint Motion for Summary Judgment moot as it applies to Albemarle Corporation. (Doc.63).