

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

SHANNON WOODS

PLAINTIFF

V.

CIVIL ACTION NO. 14-1062

GEORGIA-PACIFIC LLC;
GEORGIA-PACIFIC LLC
d/b/a GEORGIA-PACIFIC BLEACH
BOARD HOPPER PAPER COMPANY; and
JOHN DOES 1-5

DEFENDANTS

ORDER

Before the Court is the Joint Motion for Dismissal Without Prejudice. ECF No. 22. The parties move the Court to dismiss this cause without prejudice, subject to terms and conditions.

Upon consideration, the Court finds that the terms are proper and the motion should be and hereby is GRANTED. Pursuant to Federal Rule of Civil Procedure 41(a)(2), this cause of action and Separate Defendant Georgia-Pacific LLC is DISMISSED WITHOUT PREJUDICE, subject to the following terms and conditions, which the Court considers and finds are proper:

1. The Plaintiff may refile his claims within one year of the entry of this Order of Dismissal; however, any re-filing of the claims must occur within one year of the entry of this Order of Dismissal otherwise they will be time barred;

2. Any re-filing of the claims must occur in the El Dorado Division of the United States District Court for the Western District of Arkansas; and

3. All defenses and claims of Separate Defendant, Georgia-Pacific LLC, are reserved, are not waived, and may be asserted in any subsequent case or re-filing, including, but not limited to, the statute of limitations defense raised in this action.

IT IS SO ORDERED, this 12th day of August, 2015.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge

Approved:

/s/ Timothy J. Myers
Timothy J. Myers,
Attorney for Plaintiff

/s/ Matthew J. Shepherd
Matthew J. Shepherd
Attorney for Separate Defendant,
Georgia-Pacific LLC