

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

LACIE BAIRD

PLAINTIFF

v.

Case No. 2:10-CV-02123

TORENZO FORD and
FORD MOTOR CREDIT COMPANY, LLC

DEFENDANTS

ORDER

Currently before the Court are Plaintiff's Motion to Dismiss (Doc. 28) and Defendants' Response (Doc. 29). Plaintiff moves this Court to dismiss this action, without prejudice, pursuant to Fed. R. Civ. P. 41 (a)(2). Defendants do not object to the Motion, but they ask that it be conditioned on Plaintiff paying the costs of this proceeding, pursuant to Fed. R. Civ. P. 42 (d), in the event the action is re-filed at a later date.

Upon due consideration, Plaintiff's Motion (Doc. 28) is GRANTED and Plaintiff's complaint is hereby DISMISSED WITHOUT PREJUDICE pursuant to Fed. R. Civ. P. 41 (a)(2). Should Plaintiff re-file her complaint in either federal court or state court, she will be required to compensate Defendants for any duplicative costs and expenses incurred. Any other motions currently pending in this case are DISMISSED AS MOOT.

IT IS SO ORDERED this 15th day of February, 2012.

/s/ P. K. Holmes, III

P. K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE