

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

CYNTHIA BOURGEOIS  
V.  
DOUGLAS VANDERBILT, et al.  
NATIONAL INTERSTATE INSURANCE COMPANY

PLAINTIFF  
NO. 06-CV-4061  
DEFENDANTS  
INTERVENOR

**ORDER**

Before the Court is a Motion to Dismiss Defendant Douglas Vanderbilt, which was filed by Plaintiff and Intervenor National Interstate Insurance Company. (Doc. 164). The parties ask the Court to dismiss Defendant Douglas Vanderbilt from this lawsuit. Upon consideration, the Court finds that the motion should be and hereby is **GRANTED**. Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, all claims by Plaintiff and Intervenor against Defendant Douglas Vanderbilt are hereby **DISMISSED WITH PREJUDICE**.

Plaintiff has not been made whole in this action, and she has reserved her right to pursue claims in workers' compensation to the extent permitted by law. Intervenor National Interstate Insurance Company has also reserved its right to pursue recovery of the full amount of its subrogation claims to the extent permitted by law.

IT IS SO ORDERED, this 22d day of March, 2010.

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