

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

WAL-MART TRANSPORTATION, LLC PLAINTIFF

v. CASE NO. 07-5151

AMERICAN GLOBAL TRANSPORTATION
AND LOGISTICS, LLC, et al. DEFENDANTS

O R D E R

NOW on this 14th day of November, 2008, there comes on for consideration Plaintiff's Motion to Disburse Funds and Motion to Dismiss (Docs. 32-33). IT APPEARING to the court that the matter has been settled, counsel for Plaintiff having so advised the court, it is ORDERED that Plaintiff's Motions be GRANTED and Plaintiff's Complaint, as well as all cross-claims and counterclaims, are dismissed with prejudice, subject to the terms of the settlement agreement. Further, the U.S. District Clerk is directed to disburse the funds deposited into the registry of the Court, in the amount of \$232,368.68, to Separate Defendant Wells Fargo Business Credit, 101 South Hanley Road, Suite 1400, St. Louis, MO 63105, and to deduct a 10% fee on the interest earned prior to distribution for handling the funds deposited into the registry of the Court.

If any party desires to make the terms of settlement a part of the record herein, those terms should be reduced to writing and filed with the court within thirty (30) days from the file date of this order. The court retains jurisdiction to vacate this order and to reopen the action upon cause shown that settlement has not

been completed and that a party wishes this court to enforce the settlement agreement specifically.

/s/ Robert T. Dawson
HONORABLE ROBERT T. DAWSON
UNITED STATES DISTRICT JUDGE