

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

JAN TAYLOR, CARLA C. CROSSWHITE
and LAURA T. GODSEY, individually
and on behalf of a class of all other
persons similarly situated and on behalf
of the ANB Financial, N.A. Employee
Stock Ownership Plan

PLAINTIFFS

VS. CASE NO. 08-CV-5170

ANB BANCSHARES, INC.; DANIEL DYKEMA,
HARRY BROWN, GREGORY D. LANDIS,
DEBRA JACKSON, ERIC BROWN, BLAKE
EVANS and VIC EVANS

DEFENDANTS

ORDER

Now on this 14th day of October 2010, there comes on for consideration the report and recommendation filed in this case on September 20, 2010, by the Honorable Erin L. Setser, United States Magistrate for the Western District of Arkansas. (Doc. 130). Also before the Court are Defendants' Objections (doc. 134).

Defendants' objections are based on their perception that Magistrate Setser made a finding that the Bancshares stock could not be sold. After a *de novo* review, the Court, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Defendants' Motion for Judgment on the Pleadings (doc. 96) is GRANTED as to Separate Defendant Plan Committee for Arkansas National Bank Employee Stock Ownership Plan, and this defendant is

DISMISSED. The motion is further GRANTED as to Plaintiffs' misrepresentation claim based upon Vonda Axe's email. The motion is DENIED in all other respects.

IT IS SO ORDERED.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge