

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

**CHRIS D. EZELL, as parent and next  
friend of his minor daughter, K.E.,**

**JAMES LYLES and DONNA LYLES,  
as parents and next friend of their  
minor daughter, E.L.,**

**WES R. MABRY, as parent and next  
friend of his minor daughter, M.M.**

**PLAINTIFFS**

**V.**

**CASE NO. 5:15-CV-05161**

**FAYETTEVILLE PUBLIC SCHOOLS  
a/k/a FAYETTEVILLE SCHOOL  
DISTRICT; DR. PAUL HEWITT in his  
official capacity as Superintendent of  
Fayetteville Public Schools;  
and DOES 1 through 50**

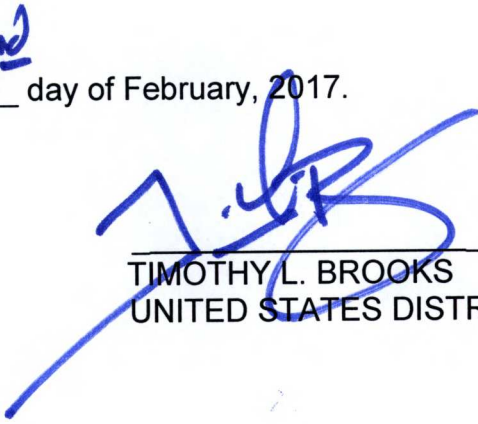
**DEFENDANTS**

**ORDER OF DISMISSAL WITH PREJUDICE**

On February 9, 2017, the parties to this action filed a Joint Motion for Partial Dismissal (Doc. 31). The parties have entered into a Settlement Agreement which, in relevant part, provides that Defendant Fayetteville Public Schools will pay Plaintiffs' counsel's reasonable fees and costs. In the event the parties cannot reach agreement on fees and costs, the Agreement states that the parties will submit the matter to the Court for determination. On February 10, 2017, the Court dismissed with prejudice Plaintiffs' claims against Defendants, but retained jurisdiction over the question of attorney's fees, as the parties had not yet reached agreement on that matter. On this date, February 22, 2017, the parties participated in a settlement conference on the attorney's fees issue with the Hon. Erin L. Setser. Judge Setser was able to help the parties come to an agreement.

Accordingly, this case is **DISMISSED WITH PREJUDICE**. The Court will, however, **RETAIN JURISDICTION** to enforce both the merits and the attorney's fees provisions of the Settlement Agreement.

IT IS SO ORDERED on this 27<sup>th</sup> day of February, 2017.



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TIMOTHY L. BROOKS  
UNITED STATES DISTRICT JUDGE