

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

**BRAKE PLUS NWA, INC.
and WILLIAMS & LAKE, LLC**

PLAINTIFFS

V.

CASE NO. 5:23-CV-5185

**UNITED STATES DEPARTMENT OF TRANSPORTATION,
through Pete Buttigieg in his official capacity as
Secretary of Transportation; and NATIONAL HIGHWAY
TRAFFIC SAFETY ADMINISTRATION, through Ann Carlson
in her official capacity as Acting Administrator
of the National Highway Traffic Safety Administration**

DEFENDANTS

JUDGMENT

For the reasons stated in the Memorandum Opinion and Order filed this day, **IT IS ORDERED AND ADJUDGED** that this case is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6), in view of the Court's finding that the acts alleged in the Complaint do not constitute final agency action.

IT IS SO ORDERED AND ADJUDGED on this 24th day of September, 2024.



TIMOTHY L. BROOKS
UNITED STATES DISTRICT JUDGE