

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

ESSEX CRANE RENTAL  
CORPORATION,

Plaintiff,

v.

CASE NO.: 3:09cv13/MCR/MD

W.G. YATES & SONS  
CONSTRUCTION COMPANY,

Defendant.

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**ORDER OF DISMISSAL**

The Court has been informed that the parties have reached a settlement of this matter. (See doc. 49). Therefore, the above-entitled action is **DISMISSED** from the active docket of the Court. In the event that the settlement is not consummated, the Court reserves the power, upon motion filed by any party within sixty (60) days of the date of this Order, to amend or vacate and set aside this Order of Dismissal and reinstate this case. At this time, the Clerk is directed to close the file in this case for administrative purposes, and upon the expiration of sixty (60) days without activity, the Clerk is directed to close the case in its entirety for all purposes.

**ORDERED** on this 21st day of May, 2009.

*sl M. Casey Rodgers*

**M. CASEY RODGERS  
UNITED STATES DISTRICT JUDGE**