

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA, for  
the use and benefit of YMC, INC., an  
Idaho corporation,

Plaintiff,

v.

INSURANCE COMPANY OF THE  
WEST, a California corporation, and  
EAGLE ROCK TIMBER, INC. an Idaho  
corporation,

Defendants.

Case No. 1:09-CV-543-BLW

**AMENDED ORDER OF  
DISMISSAL**

EAGLE ROCK TIMBER, INC. an Idaho  
Corporation,

Intervenor Counterclaimant,

v.

YMC, Inc. an Idaho corporation,

Counterdefendant.

The Court has before it the Amended Notice of Dismissal With Prejudice (Dkt.  
43). Good cause appearing, the Court enters this Amended Order of Dismissal.

**ORDER - 1**

## ORDER

### IT IS ORDERED:

1. Defendant Third Party Plaintiff, Eagle Rock Timber, Inc.'s Amended Notice of Dismissal With Prejudice (Dkt. 43) is **GRANTED**. The Third Party Complaint (Dkt. 33) filed against Battelle Energy Alliance, LLC shall be **DISMISSED WITH PREJUDICE** without costs or attorneys fees.

DATED: November 18, 2010



A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

B. LYNN WINMILL  
Chief U.S. District Court Judge