

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS  
PEORIA DIVISION**

JOSEPH V. BONAR, )  
)  
Plaintiff, )  
)  
v. )  
)  
MARK RAY, BERWICK BLACK )  
CATTLE COMPANY, WARD FEED )  
YARD, INC., and ILS FINANCING, INC. )

Case No. 09-cv-1185

Defendants.

**O P I N I O N and O R D E R**

This matter is before the Court on the Stipulated Motion for Final Dismissal with Prejudice of this action as to Ward Feed Yard, Inc. and ILS Financing, Inc., filed by Plaintiff and Defendants Ward Feed Yard, Inc. and ILS Financing, Inc., on May 24, 2012 (Doc. 43). These parties move for dismissal with prejudice of all claims and/or counterclaims between or among the Plaintiff and Ward Feed Yard, Inc. and ILS Financing, Inc., with each party to bear its own costs. Additionally, the parties have requested an entry of final judgment of dismissal with prejudice as to these Defendants pursuant to Federal Rule of Civil Procedure 54(b).

Pursuant to Federal Rule of Civil Procedure 54(b),

[w]hen an action presents more than one claim for relief . . . or when multiple parties are involved, the court may direct entry of a final judgment as to one or more, but fewer than all, claims or parties only if the court expressly determines that there is no just reason for delay.

FED. R. CIV. P. 54(b). The Seventh Circuit has clarified that “[p]roper entry of judgment under Rule 54(b) requires first that the district court reach a judgment

that is final in the sense that it completely disposes of a separate claim for relief or finally resolves all claims against a particular party or parties.” *United States v. Ettrick Wood Products, Inc.*, 916 F.2d 1211, 1217 (7th Cir. 1990). The Court finds that there is no just reason for delay, as approval of the Stipulated Motion disposes of all claims against Ward Feed Yard, Inc. and ILS Financing, Inc.

In light of the granting of this Motion as to Ward Feed Yard, Inc. and ILS Financing, Inc., and the entry of default as to Mark Ray and Berwick Black Cattle Company, the Court invites Plaintiff to move to dismiss or, in the alternative, to renew his Motion for Default Judgment against these two remaining Defendants within 21 days.

IT IS THEREFORE ORDERED that the Stipulated Motion for Final Dismissal with Prejudice of this action as to Ward Feed Yard, Inc. and ILS Financing, Inc. (Doc. 43) is GRANTED. The Clerk is DIRECTED to enter final judgment of dismissal with prejudice as to these Defendants pursuant to Federal Rule of Civil Procedure 54(b).

Entered this 7th day of June, 2012.

s/ Joe B. McDade  
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JOE BILLY McDADE  
United States Senior District Judge