

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**PAULA M. KELLEY and
PATRICIA A. MERSMAN, Special Administrator
of the Estate of Carrie Randolph, Deceased,**

Plaintiffs,

v.

**RHONDA RINCK and
OZBURN HESSEY LOGISTICS, LLC,**

Defendants.

Case No. 08-cv-360-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is a Stipulation for Dismissal (Doc. 51), seeking a dismissal with prejudice of plaintiff Paula Kelley's claims against defendants Rhonda Rinck and Ozburn Hessey Logistics, LLC, with each Party to bear their own costs. Accordingly, the Court hereby **ACKNOWLEDGES** said Stipulation (Doc. 51). As such, plaintiff Paula Kelley's claims in this case are hereby **DISMISSED WITH PREJUDICE** against defendants Rhonda Rinck and Ozburn Hessey Logistics, LLC, each Party to bear their own costs. The Court notes that the claims of plaintiff Patricia A. Mersman, acting as Special Administrator of the Estate of Carrie

Randolph, still remain pending against defendants Rhonda Rinck and Ozburn Hessey Logistics, LLC, in this case.

IT IS SO ORDERED.

Signed this 26th day of May, 2009.

/s/ David R. Herndon

**Chief Judge
United States District Court**